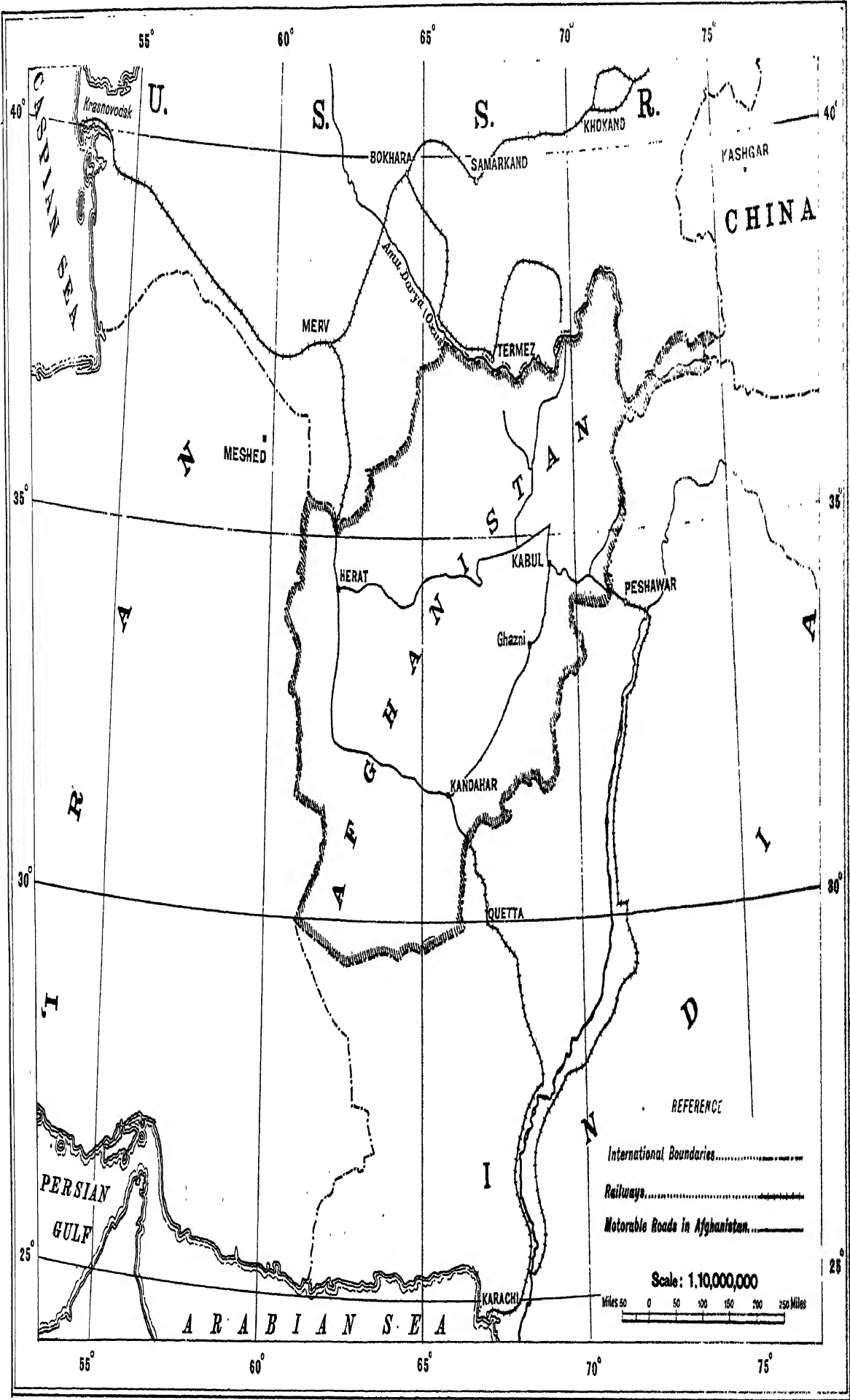


7. *Elaborate on the following:*

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MAP SHOWING THE POSITION OF AFGHANISTAN
IN RELATION TO HER NEIGHBOURS.



PRECIS ON AFGHAN AFFAIRS

VOLUME II

From the middle of 1927 to the end of 1936

Compiled by

A. D. F. DUNDAS,

Foreign and Political Department,
Government of India



NEW DELHI: PRINTED BY THE MANAGER
GOVERNMENT OF INDIA PRESS: 1938

PART I. .

CHRONOLOGICAL NARRATIVE.

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PREFACE.

The Afghan Précis of 1927 was compiled by Mr. R. R. Maconachie, C.I.E., I.C.S., now Sir Richard Maconachie, who had previously been Counsellor at the British Legation, Kabul from 1922 to 1924 and later held the post of His Majesty's Minister at Kabul from 1930 to 1935. He has noted in his Preface that there was a gap in the compilation of Summaries of Afghan Affairs from 1893 to 1919, but has expressed the hope that as the break which Afghanistan made with its past in 1919 was so complete the gap may perhaps be found actually less serious than might have been expected. It is for this reason, the completeness of the break which occurred in 1919, that the present volume has been designed to supplement, not to replace, Sir Richard Maconachie's Précis. If Afghanistan continues along its present lines, new volumes can replace the present compilation, but nothing which does not reproduce it almost in full can replace the Précis of 1927 for those who must understand what they read.

The present Volume contains a number of repetitions and a number of reproductions or summaries of what has already appeared in the first Volume. These have been included in the confidence that they will not mislead the serious student into overlooking anything of importance, and in the hope that they will make reference to this compilation easier for those who may have to make a decision, or state a case, without having first had time to study Volume I as a whole.

The compiler's acknowledgments are due to the General Staff for help in the matter of maps and for permission to use their compilations ; and to the Ministers and Staff of the British Legation, Kabul, without plagiarising whom he could never have produced a Précis at all. Special acknowledgment is due to Sir Richard Maconachie from whose Précis, despatches, annual reports and general correspondence the compiler has quoted extensively.

Chapter XXII, Trade Questions, was compiled with the help of Mr. M. A. Khattak, First Indian Trade Agent—designate at Kabul.

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FROM THE MIDDLE OF 1927 TO THE FALL OF AMANULLAH AT THE BEGINNING OF 1929.

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INTRODUCTORY.

The Development of Afghanistan as a Nation.—The first chapter of Sir Richard Maconachie's *Précis on Afghan Affairs* was headed "The Nationalist Movement", and traced the rise of Nationalism both in the East generally and in Afghanistan in particular. The effects and repercussions of this movement can be traced in almost everything of importance that happened during that period. In particular the great change which took place in the relations between Afghanistan and the British is entirely due to it. At the beginning of the period the position of Afghanistan was described by British statesmen as being one of tutelage, with India in the position of suzerainty. The British Government was not represented at Kabul at all. The Government of India was represented by an agent at Kabul who was styled "British Agent at Kabul".

The Afghan Government had no representative in London, but had an agent in India, who was called "Afghan Envoy with the Government of India".

By the middle of 1927, the end of the period covered by Sir Richard Maconachie's *Précis*, the respective forms of representation were as follows :—

Afghan Representatives in London :—

A Minister and Staff, consisting nominally of a Counsellor and three Secretaries.

Afghan Representatives in India :—

Consul-General at Delhi and Simla, Consuls at Bombay and Karachi.

British Representatives in Afghanistan :—

A Minister and Staff at Kabul, the Staff including Counsellor, Secretary, Military Attaché, Surgeon and Oriental Secretary.

Consuls at Kandahar and Jalalabad¹.

Vis-a-vis the Indian Government, the growth of Afghan Nationalism took the form at first of an extreme sensitiveness and readiness to take offence on the one hand, and active attempts to sidetrack and belittle the Indian Government on the other. Internal affairs were marked by a desire to rush headlong along the path of Western progress, and to place Afghanistan among the comity of civilised nations by the simple process of behaving as if it had already arrived there. In external relations with other countries than India and Great Britain the same tendency could be traced, culminating in an orgy of treaty-making during and after King Amanullah's visit to Europe.

Sir Richard Maconachie's *Précis* closes with the events of September 1927. By that time British diplomatic relations were on a reasonably satisfactory footing; diplomatic, frontier and international problems were in a fair way to settlement; internal affairs were being satisfactorily consolidated; and external relations with other countries were following the normal lines of international relationship between a new nation and her older neighbours. All this satisfactory development came to a sudden stop with a rebellion which broke out in the winter of 1928-29 and resulted in King Amanullah's flight from the country and the disappearance of the centralized stable government with which other countries had been able to deal. Afghanistan's recovery under King Nadir Shah and her subsequent advancement along safer lines of progress, are the theme of the present volume.

¹Despatch from Minister, Kabul, to F. O., London, No. 90, dated the 23rd November 1927 (A. S. XXII, 249).

PERIOD I.

FROM THE MIDDLE OF 1927 TO THE FALL OF AMANULLAH AT THE BEGINNING OF 1929.

CHAPTER I.

NARRATIVE OF EVENTS.

A. GENERAL.

745. **The King's visit to Europe.**—Though it was in itself more of an external than an internal affair, no event of the period had a more immediate and violent effect on every aspect of the development of Afghanistan than King Amanullah's visit to Europe. Official notification of his intention was given simultaneously by the Afghan Minister in London to the British Foreign Office, and by the Afghan Foreign Office in Kabul to the British Chargé d'Affaires. The announcement was made towards the end of September 1927. According to Mr. Gould¹, who was Chargé d'Affaires during Sir Francis Humphrys' absence on leave to England, the programme, which was to include visits to Rome, Paris, London, Brussels, Berlin and as many other capitals as could conveniently be fitted in, represented the King's ambition of some years standing which he at last considered feasible owing to the order and tranquillity established in his country. His main reasons as described by Mr. Gould, were two. He hoped that the reception accorded to him by the sovereigns of Western Europe would enhance his prestige and consolidate his position, and he wished, before committing himself and his country to any new constructive foreign policy or further internal advancement, to widen his outlook, gain experience at first hand of European methods, and assimilate the views of other sovereigns on World Problems. A phrase used by himself² was that he wished to give a Western orientation to Afghan development and progress. An additional aim, which the King did not mention, but of which Sir Francis Humphrys had no doubt³, was to stimulate England and Russia in their rivalry to court his friendship. It was certain that he would attempt by conversations in England to initiate negotiations for a new Anglo-Afghan Treaty, and would attempt to obtain the promise of British assistance towards those objects which he considered most essential for the material progress of his country. Subsequent events proved these objects to be the supply of arms, ammunition and war material of all kinds, the training of cadets for the various services, and the improvement of trade facilities.

The prospect of the tour was not regarded with favour by Afghanistan generally. Sir Francis Humphrys' analysis of the feelings of the country was as follows³ :—

“The Pathan tribesman foresees no benefit from the tour to himself, but only a prospect of further unpopular social reforms and increased taxation. He fears the introduction of new fangled schemes suitable perhaps to rich European countries but entirely unsuited, to his thinking, to the poverty-stricken people of Afghanistan. The Mullahs and the orthodox party in general are frankly apprehensive that the King will return with a Christian rather than a Muhammadan bias. On the other hand, the tour is heartily welcomed by the progressive class of the Western educated Afghan as likely to lead to reforms which they consider necessary for the development and

¹ Telegram from C. d'A., Kabul, No. 112, dated the 25th September 1927 (A. S. XXII, 152).

² Telegram from C. d'A., Kabul, to F. O., London, No. 116, dated the 2nd October 1927 (A. S. XXII, 162).

³ Despatch from Minister, Kabul, to F. O., London, No. 95, dated the 4th December 1927 (A. S. XXII, 251).

aggrandisement of their country. Indeed young Afghans of this class do not hesitate to proclaim that Kabul is shortly to become the universally recognised centre of education and culture in Asia”.

Sir Francis, moreover, foresaw trouble, if the tour was not completed by April, up till which time the most truculent portion of the Pathan population would be away in their winter grazing grounds in India.

The announcement of the tour was followed immediately by a warm personal invitation¹ from His Majesty King George V, together with a cordial message² from the Viceroy offering to place a special train at King Amanullah's disposal for his journey through India, and to put him up in Delhi should he find it convenient to break journey there. The latter invitation was not particularly graciously received, and in spite of all that Sir Francis Humphrys could say to the contrary³ the King insisted on travelling *via* Kandahar, Chaman and Karachi, performing the journey from Karachi to Bombay by sea. In this he seems to have been ruled by Ghulam Saddiq, the officiating Foreign Minister. Ghulam Saddiq would use to Sir Francis Humphrys' remonstrances only the words "that the programme had been irrevocably fixed". The King himself gave Sir Francis an interview, welcomed him warmly and said good-bye to him in equally warm terms, but on the subject of visiting Delhi in proper regal state was reserved and unhelpful. Sir Francis noted at this interview a remarkable change in the Afghan attitude towards India. While Mahmud Tarzi had been Foreign Minister there had been an increasing warmth in relations, but with the accession of Ghulam Saddiq to office there had been clear indications of a new policy aiming at side tracking and belittling the Government of India.

The King left Afghanistan on the 29th November 1927 and embarked at Bombay on the 17th December 1927 for Port Said in the P. & O. S.S. "Rajputana", in which he travelled as a guest of the Indian Government. The British Minister went with him, leaving Mr. Gould as Chargé d'Affaires.

At the farewell banquet given the day before he left Kabul, the King twice called up Sardar Muhammad Wali Khan and Mr. Gould together and urged them to be good friends and to help each other. Sardar Muhammad Wali was to be both Regent and Foreign Minister during the King's absence.

The following are the important dates of the tour:—

November 1927—Departure from Kabul.

December 17th—Departure from Bombay.

December 26th to 3rd January 1928—Egypt.

January 25th to February 8th—Paris.

February 8th to 11th February—Belgium.

February 12th to 19th—Switzerland.

February 22nd to 7th March—Berlin.

March 13th to 5th April 1928—England.

May 3rd to 18th May—Russia.

June 6th to 20th June—Persia.

June 26th—Arrival at Kandahar.

July 1st—Arrival in Kabul.

King Amanullah, besides staying at Buckingham Palace as a guest of King George V, had an interview with His Majesty's Secretary of State for Foreign Affairs, Sir Austen Chamberlain on 14th March 1928.

The first symptoms of rebellion followed rapidly on his return and by 14th January 1929 King Amanullah had had to abdicate and leave Kabul.

¹ Telegram from F. O., London, to Minister, Kabul, No. 58, dated the 27th September 1927 (A. S. XXII, 156).

² Telegram to C. d'A., Kabul, No. 223-K., dated the 28th September 1927 (A. S. XXII, 157).

³ Telegram from Minister, Kabul, to F. O., London, No. 125, dated the 3rd November 1927 (A. S. XXII, 207).

B. INTERNAL DEVELOPMENT.

746. **General.**—The King's visit to Europe was but one feature of his intention to consolidate and develop his country on Western lines. Afghanistan was to be exactly like the Western nations in every way which he could arrange. It was to have a strong army and air force, a National bank, wireless, an airmail, mineral developments, railways, roads, schools, treaties with other countries, diplomatic representation, Western methods introduced into the services, membership of the Postal Union, political reforms, and many other symptoms of civilization. Some of these had been given a start before his departure to Europe, some developed during his tour, and some came to premature and disastrous birth after his return.

747. **Purchase of Arms and Military Stores.**—King Amanullah was throughout his reign anxious to increase his stock of war material of all kinds. He required not only rifles of the newest and best pattern, but guns, howitzers, aeroplanes, tanks, armoured cars and everything else of the kind which other nations possessed. He required this armament as much for internal security as for defence against aggression by any other country, and probably least of all for aggression by Afghanistan. All these objects were present in his mind, as in the mind of every other nation or individual maintaining arms, and it would be useless to try to analyse the respective importance of each.

A request for British war materials either by gift or by purchase was one of the principal requests made by King Amanullah and Sardar Ghulam Saddiq Khan in their interviews¹ with Sir Austen Chamberlain in London. It is interesting to see how they elicited from Sir Austen a reiteration of Great Britain's desire to see Afghanistan a strong nation, and then suddenly turned to asking for the means to make her strong. The final result of these interviews, so far as arms were concerned, was a decision² on the part of the British Government and the Government of India to present King Amanullah with one complete battery each of 2·75 mountain guns, 3·75 Howitzers, and 18-pounder field guns, with 500 shells for each battery, 1,000 most up-to-date Lee Enfield 303 rifles and 100,000 rounds of ammunition, 3 Rolls Royce armoured cars and 6 Vickers Machine guns. The presentation had not been made by the time the 1928-29 rebellion broke out.

By an agreement signed on 24th December 1928 Russia had undertaken to deliver considerable supplies both of artillery and of aeroplanes.³ Portions of the consignment reached Kabul and other portions did not.

During his travels the King ordered 5 tanks, two field batteries, one mountain battery and two ammunition wagons in France, but these had not been delivered by the time the rebellion broke out. He had also started negotiations for buying 50,000 1914 pattern 303 rifles and 50 million rounds of ammunition from a British firm.

748. **Aeroplanes.**—The Afghan Air Force was manned and maintained almost entirely by Russians in Afghan employ, and depended mainly both for new stores and for replacements on Russia.³

By an agreement signed on 24th December 1928 the Russians were to hand over by the end of April 1929 2 flights of aeroplanes (16 machines), and a number of spare parts, and one further flight of 8 machines before the end of the year. (This was in addition to certain other military stores mentioned in the agreement). Fourteen of these aeroplanes arrived in Kabul in May and June 1928, together with a fifteenth which was believed to be one presented to King Amanullah by the Polish Government. Two of them crashed on the way, one in British Tribal Territory in the Kurran Valley.

¹ Despatch from F. O., London, to Minister, Kabul, No. 49, dated the 4th April 1928 (A. S. XXIII, 160).

² Telegram from F. O., London, to Minister, Kabul, No. 56, dated the 11th August 1928 (A. S. XXIV, 221).

³ Page 3 of notes in A. S. XXIV.

An aeroplane presented by the French Government reached Kabul *via* Aleppo, Baghdad and Tehran in August 1928. Three others had arrived from Germany in July, one a present and the other two purchases. The German pilots refused the offer of employment in Kabul, and it was doubtful if there was anyone in Afghanistan capable of flying the French machine.

There were believed to be twenty serviceable machines in Kabul by the end of 1927, but half of these were out of action, some temporarily and some permanently, by the middle of 1928.

749. Proposed National Bank and Foreign Loans.—There were several abortive attempts at either obtaining a loan or starting a National Bank, or both. The first of the period was made in February 1928 by M. Habib Lotfallah.¹ The British Government declined to give him either support or advice and nothing came of his proposal. In July of the same year Major G. M. Goldsmith and partners informed the Foreign Office, London, that they had been approached on behalf of the Afghan Government to raise a loan of £400,000 repayable in four half-yearly instalments, of which the first £100,000 was to be spent in England on military equipment. Major Goldsmith claimed to have been offered the monopoly of the sugar trade in Afghanistan against the loan. Negotiations for a similar loan had been initiated in Paris at the same time by the Afghan Minister, Paris. Commenting on these negotiations the Foreign Office wired to Minister Kabul as follows²:—

“If it is necessary for Afghans to borrow from abroad, it would be well that loan and resultant purchases should be made here, but it is very desirable that they should deal only with first class financial houses as otherwise endless trouble and discredit on British Finance may be expected. It is therefore highly desirable that this hawking of an Afghan loan among minor houses should be stopped.

If you see no objection, please inform Afghan Government privately and urgently that if they wish to place loan in this country it would be advisable if in their own interests they suspended (but not necessarily broke off) any negotiations in which their representatives in Europe are now engaged until Afghan Government have consulted Bank of England to whom His Majesty's Government will be glad to introduce them. Please also make it perfectly clear that His Majesty's Government cannot guarantee a loan or accept responsibility for any new negotiations begun in consequence of this advice.”

The Minister replied.³

“I will take first opportunity of tendering advice suggested in last paragraph thereof, unless my instructions are modified within next few days. Question will require delicate handling for reasons given below:—

- (1) To finance purchases abroad Afghan Government is in urgent need of foreign loan.
- (2) As far as I know they have no securities to offer which financial house of good standing could accept.
- (3) Minor houses are approached by them because they hope to tempt them with offer of commission which first class houses would not look at.
- (4) They have no definite intention (as they have no certain means) of repaying capital or even of meeting regular instalments of interest on loan.

¹Letter from F. O. to I. O., London, No. N. 1167/1167/97, dated the 22nd March 1928 (A. S. XXIII, 188).

²Telegram from F. O., London, to Minister, Kabul, No. 67, dated the 23rd August 1928 (A. S. XXIV, 259).

³Telegram from Minister, Kabul, to F. O., London, No. 122, dated the 30th August 1928 (A. S. XXIV, 278).

- (5) 'There will be difficulty in convincing Afghan Government that introduction by His Majesty's Government to Bank of England does not mean that business will be automatically put through with His Majesty's Government's blessing.'

When some kind of warning was eventually given¹ the Afghan Government professed not to know that any attempts to raise a loan were being made.

In the meanwhile the negotiations in France reached a point where Mr. Cornrich agreed² to arrange a loan of £1,000,000 sterling at 7 per cent. or 8 per cent. per annum, repayable in twenty years and guaranteed by the customs revenues of the Kingdom of Afghanistan. Another firm trading under the name of the French British and Foreign Trust had also been approached in Paris on much the same terms.³

The British Government held aloof from these dealings and they had not reached any conclusion by the time the rebellion broke out.

750. Railways.—No actual construction of railways was undertaken, but a small French party, which obtained the contract in competition with the firm of Lenz in Berlin⁴ carried out surveys for lines from Chaman to Kandahar, Herat and Kushk and from Kabul to Kandahar.⁵

By the terms of their contract they would have the right to obtain a concession and an option on the lines. The concession would include mineral and irrigation rights and free gift of the land required for the lines. The party was believed at first to have the backing of Messrs. Vickers and of Sir Basil Zaharoff, but it was later⁶ found that Sir Basil Zaharoff only was interested. He kept the Foreign Office informed of his activities.

The party began the work of survey on the Kabul-Kandahar line on 29th July 1928. They completed the portions from Chaman to Kandahar and Kandahar to Kabul by the middle of August and the remainder by the end of September.⁷

German engineers also carried out a survey, but it appeared that they had no regular contract or options similar to those given to the French firm.

751. Wireless.—The King was alive to the advantages of wireless communication in such a country as Afghanistan, and was in correspondence with the Marconi Company for the establishment of a service. The principal difficulty was over the matter of payment and the negotiations did not reach a successful conclusion⁸.

A request by the Marconi Company that the British Government would help them both by a cash subsidy and by guaranteeing Afghan payment was refused. The idea was at one time considered favourably from fear of the Wireless communications of the country falling into Russian hands.

In the middle of the negotiations⁹ it became known that King Amanullah had given a contract to a Frenchman named Vimar whom he met in Paris. Two of M. Vimar's associates actually erected some receiving sets in Kabul and gave demonstrations of the possibilities of broadcasting.

752. Mineral Development.—There is a wide-spread belief, for which there is no established proof, that Afghanistan has vast stores of undeveloped mineral wealth. An American named Strachan announced to

¹ Telegram from Minister, Kabul, to F.O., London, No. 165, dated the 26th October 1928 (A. S. XXV, 151).

² Encl. in F. O. covering letter, dated the 20th August 1928 (A. S. XXV, 21).

³ Despatch from F. O., London, to Minister, Kabul No. 174, dated the 19th September 1928 (A. S. XXV, 108).

⁴ Telegram from F. O., London, to Minister, Kabul, No. 57, dated 11th August 1928 (A. S. XXIV, 214).

⁵ Telegram from F. O., London, to Minister, Kabul, No. 68, dated 23rd August 1928 (A. S. XXIV, 258).

⁶ Note from the British Embassy, Paris, to the Foreign Office, London, dated the 20th June 1928 (A. S. XXIV, 140).

⁷ Enclosure in F. O. covering letter, dated 17th July 1928 (A. S. XXIV, 193-194).

⁸ Cf. *Afghan Précis* (1927), para. 588.

⁹ Despatch from Minister, Kabul, to F.O., London, No. 92, dated 23rd November 1927 (A. S. XXII, 244).

the American Press in May 1928, that he had obtained a concession for the exclusive development of all minerals and oils in Afghanistan. Nothing more was heard of this.

The Anglo-Persian Oil Company was at one time mentioned as being interested in the possibilities of oil in Afghanistan, but nothing came of this.

753. Training of Cadets.—Six young Afghans of good family were sent to England for training in police work, where they were placed under the charge of the Chief Constable of Birmingham. By the end of 1928, three had successfully passed through all branches of their training, two, who were younger, were not sufficiently advanced, and one had died.¹

The training of military and air-force cadets in England was one of the requests made by Ghulam Saddiq to Sir Austen Chamberlain. The idea was viewed with favour by His Majesty's Government, but when the cost came to be calculated it was found that the cost of a Royal Air Force training for flying cadets was excessive. The offer eventually made to the Afghan Government was for the free training of twenty military cadets at Sandhurst.² The charges made by the War Office were to be met from Indian Revenues.³

In the course of his visit to Italy the King arranged for the training in aviation of 25 Afghan cadets free of all cost to the Afghan Government. The Chargé d'Affaires Kabul reported⁴ that the personnel was being despatched at once.

754. Air Mails.—An agreement for the establishment of an Air Mail Service between Kabul and Tashkent was signed at Kabul on 28th November 1927. A copy of the text was supplied to the British Chargé d'Affaires by the Persian Minister. The following is a summary⁵ of it:—

- “(a) Ten aeroplanes (total 20) with adequate personnel, minimum service twice a month in each direction, to be provided by each Government.
- (b) and (c) Landing grounds with necessary equipments to be provided by each Government.
- (d) Afghan Government to provide petrol and oil at rates prevailing on other Soviet air routes.
- (e) Each Government to maintain and pay its own pilots and personnel.
- (f) Each Government to maintain adequate reserve of petrol, oil, accessories, etc., at all landing grounds at current local prices.
- (g) In January accounts to be settled annually at Kabul.
- (h) and (i) Deal with forced landing and repairs.
- (j) Special arrangements to be made for customs control.
- (k) Postal and passenger tariff to be fixed by special agreement and introduced with effect from January 1st, 1928.
- (l) Each Government to meet all expenses of its own machines and retain all income earned by its own machines.
- (m) Soviet Legation will collect fee payable in Afghanistan in respect of Russian machines.
- (n) Details to be fixed direct between Dubrolet and Commandant of Afghan Air Force.
- (o) Customs facilities.

¹ Enclosure in F. O. covering letter, dated 4th December 1928 (A. S. XXVI, 210-A).

² Letter from F. O., London, to Air Ministry, No. N-2455/480/97, dated 31st May 1928 (A. S. XXIV, 102).

³ Despatch from F. O., London, to C. d'A., Kabul, No. 122, dated 2nd July 1928 (A. S. XXIV, 159).

⁴ Telegram from C. d'A., Kabul, to F. O., London, No. 18, dated 26th January 1928 (A. S. XXIII, 12).

⁵ Telegram from C. d'A., Kabul, to F. O., London, No. 158, dated 22nd December 1927 (A. S. XXII, 278).

(p) Agreement comes into immediate operation. Flights must commence not later than January 1st, 1928. Agreement will remain in force for one year from January 1st."

The full text¹ is to be found in Despatch from His Majesty's Chargé d'Affaires, Kabul, to His Majesty's Secretary of State for Foreign Affairs, London, No. 107, dated 24th December 1927.

There was at the same time talk of the establishment of a Perso-Afghan Air Mail Service.²

The Kabul-Tashkent service functioned, but not very efficiently.³

755. Roads and Schools.—The development of roads and schools was a subject to which King Amanullah was always making references. The actual progress made with either during 1927 and 1928 was, however, too small to be worth detailed description.

756. Development of Posts and Telegraphs and Membership of the Postal Union.—The Afghan Government had been considering for some time a proposal to appoint a Frenchman to overhaul their Posts and Telegraphs Departments. M. Bouveret was appointed⁴ in November 1927 and reached Kabul in July 1928.

On 1st April 1928 the Afghan Foreign Office announced that Afghanistan had joined the Postal Union. This had been arranged by Ghulam Saddiq in London. A little later Afghanistan also joined the International Telegraph Union. The Afghan officials at home did not know the effects or responsibilities of either of these acts, and asked for British help in elucidating them. This was cordially offered.⁵

In June 1928 the Afghan proposals for establishing postal exchanges with neighbouring countries were announced. These included a post office at Torkham

The King's own views on the state of the postal department of his country were given as follows in a speech made in Kandahar on his return from Europe⁶ :—

* * * * *

"There is no satisfactory arrangement for posts and telegraphs nor is any trouble taken to improve the roads. Is it not shameful that the posts of Afghanistan are still carried on men's backs? On my way I saw a man riding on a donkey. I enquired who he was and where he was going. He said that he was a carrier of the post. He had carried a postal bag to a certain place and was returning home after delivering it. When I enquired whether he had taken the bag on donkey-back, he replied in the negative and said that it was only on his return journey that he got hold of a donkey. Such are the arrangements for posts. Now take the telegraph. The line to Farrah has been left incomplete and the work postponed. Why? Because it is too hot and the men cannot work! It is a pity that the King of Afghanistan should sit in Kandahar and be ignorant of what is happening in Herat. Why? Simply because of the slackness on the part of the officials. Compare this state of affairs with other parts of the world. Take London. There every morning and every evening you obtain news of what is happening all over the surface of the earth."

¹ A. S. XXII. 280.

² Telegram from C.d'A., Kabul, No. 156, dated 17th December 1927 (A. S. XXII, 274).

³ (A. S. XXV, 77).

⁴ Telegram from Minister, Kabul, to F. O., London, No. 142, dated 27th November 1927 (A. S. XXII, 238).

⁵ (A. S. XXIII, 219, 234).

⁶ Despatch from Minister, Kabul, to F. O., London, No. 67, dated 21st July 1928 (A. S. XXIV, 164).

757. Social and Political Reforms.—The attempt to introduce reforms was followed so quickly by the King's own downfall, that they can be more suitably considered along with the outbreak of the rebellion.

C. EXTERNAL AFFAIRS.—I. RELATIONS WITH COUNTRIES OTHER THAN GREAT BRITAIN.

758. General.—The determination to put Afghanistan among the general comity of nations has already been noticed. This naturally reached the highest point during and immediately after the King's visit to Europe, but had not been absent before. Mahmud Tarzi Khan had been touring in the Near East, and had visited Turkey¹ at the end of June 1927 with talk of strengthening Turco-Afghan relations and bringing about an 'Eastern Locarno'. The Afghan Minister in Paris had suggested to the Egyptian Minister in the same capital the desirability of the establishment of diplomatic relations between Egypt and Afghanistan, and the Egyptian Minister had passed the suggestion on to Cairo, where however it was rejected on the ground of expense. A Soviet-Afghan treaty² had been concluded on 31st August 1926 and was ratified at Kabul on 10th April 1927. Mahmud Tarzi's presence in Turkey was made also the opportunity of a treaty³ of friendship between Poland and Afghanistan which was signed on 3rd November, 1927. The Polish Government attached some importance to this owing to their own fears of Soviet aggression. A Perso-Afghan treaty⁴ of Friendship and Neutrality was signed at Kabul on 28th November 1927, and further protocols between the two countries six months later.⁵

During and after the King's visit to Europe other treaties were either proposed or signed with Egypt,⁶ Denmark, Norway and Sweden, Japan,⁷ Switzerland⁸ and Latvia⁹. These were of no practical value to either party. Formal treaties with Italy, France, Belgium and Germany, providing for little more than the usual privileges of diplomatic representation had been in force since 1922.

During 1927 and 1928 France, Germany, Italy, Persia, Turkey, and the U. S. S. R., in addition to Great Britain, all had diplomatic representatives in Kabul. The representatives of Persia and Russia were raised to the status of Ambassador in August 1928.¹⁰ The others remained Ministers.

Great Britain had consuls in Jalalabad and Kandahar. Russia had Consuls-General in Herat and Mazar-i-Sharif and a consul in Maimana.

Afghanistan maintained Ministers in London, Paris, Berlin, Angora, Rome, Tehran and Moscow, Consuls-General in Delhi and Tashkent, and Consuls in Bombay, Karachi, Meshed, Duzdap, and Merv.

759. World Politics.—In September 1928 the acting Afghan Foreign Minister told Sir Francis Humphrys, that Afghanistan had been invited to sign the Kellogg Pact renouncing war. The British Government though feeling somewhat embarrassed at this, did not like to take any action about it.¹¹

¹ (A. S. XXII, 79).

² Despatch from F. O., London, to C. d'A., Kabul, No. 49, dated 12th April 1928 (A. S. XXIII, 185).

³ Afghan Series XXIII-138.

⁴ Despatch from C. d'A., Kabul, to F.O., London, No. 103, dated 17th December 1927 (A.S. XXII, 275).

⁵ Despatch from C. d'A., Tehran, to F. O., London, No. 304, dated 27th June 1928 (A. S. XXIV, 245).

⁶ Despatch from H. C. for Egypt, to F. O., London, No. 534 (14962/13), dated 30th June 1928 (A. S. XXIV, 180).

⁷ Despatch from British Embassy, Tokyo, to F. O., London, No. 256, dated 7th June 1928 (A. S. XXIV, 192).

⁸ (A. S. Part XXIII, 164).

⁹ (A. S. Part XXIII, 165).

¹⁰ Telegram from Minister, Kabul, to F. O., London, No. 118, dated 27th August 1928 (A. S. XXIV, 271).

¹¹ Letter from F. O., London, to I. O., London, No. A-6089-1/45, dated 31st August 1928 (A. S. XXV, 61).

The possibility of Afghanistan's joining the League of Nations was considered in correspondence between the British Foreign Office and the Government of India.¹ The problem did not in fact arise until some years later.

760. Relations with European Nations, exclusive of Great Britain and Russia.—Afghan relations with European nations generally were friendly. The King was well received everywhere on his tour and negotiated a number of treaties of little importance. France and Germany each gave him an aeroplane and France accepted a fairly large order for military stores (see para. 747). Italy undertook to train twenty-five cadets in aviation free of all charges to the Afghan Nation.

During the Summer of 1928 a Swedish Trade Agent was sent to Afghanistan on a semi-diplomatic and semi-commercial mission by the Swedish Government. He gave a summary of his opinions² to the British Minister before leaving. He saw very little opening for Swedish interests in Afghanistan and nothing that would justify the appointment of a diplomatic representative.

761. Relations with Persia.—At the beginning of the period relations with Persia were more cordial than with more distant nations.

A treaty³ of Friendship and Neutrality was signed at Kabul on 28th November 1927. This contained provision not only for neutrality but for a further meeting of representatives of the two powers after a stated interval to conclude conventions regarding trade, residence, consulates, posts and telegraphs and extradition of offenders. There was a further exchange of protocols between Persia and Afghanistan on 15th June 1928. The first was very similar to the treaty already signed. The second was an extradition agreement. The text of the latter is interesting, as it was agreed⁴ at about the same time between the Secretary of State and the Government of India that the inclusion of an extradition clause in the next treaty between Great Britain and Afghanistan was not feasible.

It runs as follows⁵ :—

“In pursuance of article 7 of the Treaty of Friendship between the Persian and Afghan Governments which was concluded on the 1st Saratan, 1300 (22nd June 1921), the plenipotentiaries of the two Governments have signed the following protocol on the 25th Khordad 1307 (15th June 1928) relating to the extradition of criminals.

All ordinary criminals and those who are accused of non-political crimes, who, after committing a crime in one of the two countries, have fled to the other country and whose extradition is requested by the party in whose territory the crime was committed, will be handed over.

Request for extradition must be delivered to the Ministry for Foreign Affairs and the summons or the verdict signed by competent legal authorities, must be attached to it.

In the summons of the verdict the crime must be clearly stated and the clause of the law by which the punishment of the crime is fixed must be quoted.

If the accused or the criminal be the subject of the country in which he has taken refuge he will not be extradited and the country in which the crime is committed has the right to notify the

¹ Pages 2-10 of the notes to A. S. XXIII.

² Despatch from Minister, Kabul to F. O., London, No. 89, dated 19th September 1928 (A. S. XXV, 71).

³ Despatch from C. d'A., Kabul, to F. O., London, No. 103, dated 17th December 1927 (A. S. XXII, 275).

⁴ Letter from I. O., London, No. P. 2489, dated 17th May 1928 (A. S. XXIV, 17).

⁵ Despatch from C. d'A., Tehran, to F. O., London, No. 304, dated 27th June 1928 (A. S. XXIV, 245).

other country of the crime and to request the prosecution or punishment of the criminal or the accused in accordance with the laws of the latter's country.

This protocol will be valid for a period of two years. Should neither of the contracting parties annul the protocol at the expiry of that period, it will be automatically valid for a further period of two years."

Dated Tehran, the 25th Khordad, 1307 (15th June 1928).

There was also talk of an Air Mail Service and of improving postal and telegraph facilities, and an agreement for the amicable settlement of frontier disputes had been signed.¹ Towards the end of the period relations between the two countries were not so good. King Amanullah's journey through Persia on his return to Afghanistan is described in Afghan Series Part XXIV, Serial Nos. 100², 123,³ and 143.⁴ He was fittingly treated by the State, and seems to have been well received by the masses, but gave offence both to the Shah and his officials and to religious susceptibilities. He followed this up by derogatory references to Persia in an important speech on his arrival in Kabul. The outgoing Persian Minister, in calling to say good-bye to Sir Francis Humphrys on 15th September, foretold coldness between the two nations for some months to come.⁵

762. Relations with Turkey.—King Amanullah was much impressed with the Westernization and general advance which he saw in Turkey. He undoubtedly felt that he had something in common with the ruler under whose régime an Eastern country had made such progress. The President of the Turkish Republic, Ghazi Mustapha Kemal Pasha, in the course of a long speech addressed to King Amanullah at a State Banquet on 20th May 1928, complimented him in effusive terms.⁶ King Amanullah replied hailing the Ghazi as a brother and a collaborator. It is certain that the success of the reforms introduced into Turkey, which he wrongly believed to have been forced on an unready people from above, was one of the things which turned his head and led him to believe that he could do the same in Afghanistan.

A Military mission from Turkey, headed by General Kiazim Pasha, who was to take up the appointment of Inspector-General of the Afghan Army, arrived in Kabul in January 1929.

The appointment of a Turkish Ambassador to Kabul, where Turkish representation had been in the hands of a Chargé d'Affaires since 1925, was announced shortly after the King's visit. A distinguished Turkish diplomat was appointed, whose appointment was taken as an indication that the Turks attached genuine importance to their relations with Afghanistan. General Hikmat Bey, the new Ambassador, went to Kabul in August 1928.

A new Turco-Afghan treaty of friendship was signed on 25th May 1928.⁷ Its phraseology was wide and 'capable of diverse interpretations', and the exact intentions of Turkey with regard to it were the subject of speculation. It was warmer in tone than the existing Turco-Persian and Turco-Russian Treaties, but considerably less binding than the Turco-Afghan treaty of 1921 which it professed to elaborate. By article⁷ 4 of the treaty of 1921 each of the contracting parties undertook to consider as directed against itself personally, and to oppose with all the means at its disposal, any attack made against the other by any imperialist State

¹ Despatch from British Legation, Tehran, to F. O., London, No. 201 (E.-2665-539-34), dated 3rd May 1928 (A. S. XXIV, 92).

² Despatch from British Legation, Tehran, to F. O., London, No. 294, dated 16th June 1928.

³ Letter from H. M.'s Consul General in Khorasan, No. 37-C of 23rd June 1928.

⁴ Despatch from C. d'A., Tehran, to F. O., London, No. 314, dated 30th June 1928.

⁵ Telegram from Minister, Kabul, to F. O., London, No. 136, dated 16th September 1928 (A. S. XXV, 43).

⁶ Despatch from H. M.'s Ambassador at Constantinople, to F. O., London, No. 270, dated 30th May 1928 (A. S. XXIV, 155).

⁷ For the comments of H. M.'s Ambassador in Constantinople see No. 270, dated 30th May 1928 (A. S. XXIV, 155).

in pursuance of the policy of invasion and exploitation of the East. Article 2 of the present treaty merely binds the two parties, in the event of one of them being drawn into hostilities to deliberate together on the situation.

763. Relations with Russia.—The development of Afghan relations with Russia upto 1927 is described in various sections of Sir Richard Maconachie's *Précis*, and particularly in Chapter XXII under the heading "The Northern Frontier of Afghanistan and the Bolshevik Menace".

A treaty between Russia and Afghanistan had been negotiated by Sardar Muhammad Wali Khan in Moscow in 1921. The text of this is important and is given in full in Appendix II to Sir Richard Maconachie's *Précis on Afghan Affairs* (1927). In addition to the usual privileges of diplomatic representation it provided—

- (i) That neither of the two nations would enter into relations with a third state of a nature which might prejudice either of them.
- (ii) That five Russian consulates might be opened in Afghan territory, and that more might be arranged by special agreement.
- (iii) That Russia would grant free and untaxed transit to goods bought by Afghanistan either in Russia or elsewhere.
- (iv) That Russia would give Afghanistan financial and other assistance. (This clause was defined to include a yearly subsidy of one million gold roubles, construction of Kushk-Herat, Kandahar-Kabul telegraph line, and provision of technical and other specialists).

Both since and before the conclusion of this treaty it has always been the belief of the British and Indian Governments that the real 'motif' of Russian policy with Afghanistan has been hostility to the British and a desire to give as much trouble as possible to them. Afghanistan well aware of this, has always tried to make the best out of the rivalry between the two countries for her own benefit.

Evidence of actual Bolshevik intrigue with the tribes on the British side of the Durand line during this period was not strong enough to justify any formal diplomatic action. The Chief Commissioner reported,¹ nevertheless, that such evidence was steadily accumulating.

There occurred more than one instance of malicious propaganda against British policy being traced to the Russian Legation. Especially at the outbreak and during the early days of the rebellion did the Russians assiduously put it about that the British had instigated the trouble.²

King Amanullah's visit to Russia took place in May 1928, after his visit to England. He was given a royal reception in spite of the Soviet's anti-royalist prejudices, treated as a guest of the Government throughout his stay, given various presents and treated to a number of displays, and departed after a fortnight in a Turkish vessel from the Crimea for Turkey. Complimentary speeches were exchanged throughout, with veiled references to Great Britain on the side of Russian speakers, but none, apparently, on King Amanullah's side. Descriptions of the tour received through the British Foreign Office are to be found at Afghan Series Part XXIV Serial Nos. 103³ and 181⁴. German comments, which are of interest in that they reveal a number of beliefs which others refrain from putting into words, are to be found in an extract from the Berliner Tageblatt appearing at S. No. 116-A in Afghan Series XXIV.

The Kabul-Tashkent Air Service for which an agreement⁵ between the two countries was signed on 28th November 1927 functioned, but not

¹ Telegram from N. W. F. P., No. 71-P., dated 11th February 1928 (A. S. XXIII, 36.)

² A. S. XXVI, 40, 183.

³ Despatch from British Legation, Riga, to F. O., London, No. 317, dated 31st May 1928.

⁴ Despatch from F. O., to C. d'A., Kabul, London, No. 126 (N. 3508/2/97), dated 5th July 1928.

⁵ Despatch from C. d'A., Kabul, to F. O., London, No. 107, dated 24th December 1927 (A. S. XXII, 280).

very efficiently. The experience gained by it was of value in the evacuation of the Russian Legation and Russian nationals at the time of the capture of Kabul by Habibullah (Bacha-i-Saqqa) early in 1928.

(2) Work on a road from Kabul to the Soviet Frontier was at one time begun under Russian auspices, but did not proceed very far.¹

(3) In December 1927 M. Stark, the Russian Minister went to Jalalabad. It was reported that he had gone there on account of his wife's health, that he and she would spend most of the winter there, and that he had taken with him a large sum of money in gold for purposes of propaganda. It has always been a feature of British policy to keep the Russians out of the Southern and Eastern portions of Afghanistan, since in these parts they have no legitimate trade interests and can only come to stir up trouble. Accordingly when this report was received the Chief Commissioner, North-West Frontier Province, was at once of opinion that a protest should be made to the Afghan Government. M. Stark, however, returned after a very short visit and no protest was actually made.

(4) The status of the Russian Minister at Kabul was raised to that of Ambassador in August 1928. This was followed by some bickering between M. Stark and the Turkish Ambassador as to who would take the precedence in the Diplomatic Corps. The Afghans seemed to prefer the claims of the Turk.

(5) At the outbreak of the rebellion King Amanullah resorted to the weapon of bombing the insurgents and their villages from aeroplanes piloted by Russian officers, by whom the Afghan Air Force was almost exclusively staffed. This had an extremely bad effect both on his own position and on the position of all Russians in Afghanistan.

(6) Russian advice to the King at the outbreak of the rebellion was to fight to the bitter end and impose new reforms afterwards by force. Sir Francis Humphrys believed this advice to be deliberately perverse.² At the same time Russia decided to place troops on the Afghan Northern border on a war-footing, and to be ready to offer King Amanullah either help or a refuge in Soviet territory. The King himself threw³ out hints that he was likely to return with Russian re-inforcements, and the fear that Russia might make it an excuse to interfere herself was one of the causes of the Indian Government's wish to restrain the Frontier tribes from taking any part in Afghan Affairs.

D. EXTERNAL AFFAIRS—II. RELATIONS WITH GREAT BRITAIN.

764. **General.—Interviews with Sir Austen Chamberlain.**—Relations with the British Government and the Government of India were generally friendly throughout the period. In particular the King was surprisingly well received in England and was delighted with his reception. There were minor exhibitions of unpleasantness but these were so small and so soon forgotten that it would give a wrong impression to detail them here. The only genuine source of anxiety to Afghanistan in her relations with India was fear of the "Forward Policy". This anxiety and other matters in which Afghanistan sought the practical help of the British Government were frankly discussed between King Amanullah and Sardar Ghulam Saddiq Khan on one side and His Majesty's Secretary of State for Foreign Affairs, Sir Austen Chamberlain, on the other. These interviews do in fact give an epitome of the general lines of Afghan and British relations during the period, and the official report⁴ of them is accordingly reproduced in full as an appendix to this chapter.

¹ Memo. from F. O., London, to the Dept. of Overseas Trade, No. 4283/4036/97, dated 10th September 1928 (A. S. XXV, 77).

² Telegram from Minister, Kabul, to F. O., London, No. 209, dated 12th December 1928 (A. S. XXVI, 50).

³ A. S. XXVI, 288, 237.

⁴ Despatch from F. O., London, to C. d'A., Kabul, No. 47, dated 4th April 1928 (A. S. XXIII, 159).

The official summary¹ of them is as follows:—

“The following are main conclusions reached during a conversation between His Excellency Sardar Ghulam Saddiq Khan, acting Afghan Minister for Foreign Affairs, and Sir Austen Chamberlain on March 26th.

- (1) Sir Austen Chamberlain assured His Excellency that policy pursued by Government of India with full approval of His Majesty's Government on North-West Frontier of India was not in any way directed against Afghanistan and urged His Excellency to accept this assurance and eradicate any suspicion which Afghan Government might entertain of British designs.
 - (2) Sir A. Chamberlain accepted a suggestion made by His Excellency that His Majesty's Government should give proof of their sincere desire to see a strong and independent Afghanistan by undertaking the training in England of a certain number of Afghan cadets.
 - (3) With regard to a suggestion made by His Excellency that His Majesty's Government should for similar reasons assist Afghan Government by supplying them with war material, Sir A. Chamberlain pointed out that at present time the efforts of all Governments were directed towards reduction of armaments and this might therefore prove more difficult.
- He assured His Excellency however that His Majesty's Government would be prepared to assist in this direction within modest limits.
- (4) With regard to transit facilities Sir A. Chamberlain stated that question was very complicated and was being examined by technical experts, but he assured His Excellency that His Majesty's Government would give it their sympathetic consideration and would do whatever was feasible towards simplification of the existing procedure.”

The most important practical result of these interviews from Afghanistan's point of view was the promise of a gift of three batteries of artillery with 500 rounds of ammunition each, 1,000 rifles with 100,000 rounds of ammunition, 3 armoured cars, and 6 machine guns.

The announcement of this gift was made by Sir Francis Humphrys only just before the overthrow of King Amanullah.

It was known throughout the period that Afghanistan would like a new Treaty with Great Britain, but open expression was not given to this desire till 23rd October 1928. On that date Sardar Ghulam Saddiq informed the British Minister that he was anxious to enter into negotiations for a new Treaty at the earliest possible date. The hopes entertained by the Afghan Government at that time are not clearly known, but there is little doubt that they expected cash subsidy. British intentions are discussed in a later Chapter.

765. International.—The principal problems, in all of which progress was slow, were—

- (i) the establishment of Afghan trade Agencies in various towns in India,
- (ii) the removal of friction over visas between the two countries,
- (iii) questions involving the personnel of the Legation and their privileges.

Each of these problems is discussed in a later Chapter.

¹ Telegram from F. O., London, to C. d'A., Kabul, No. 23, dated 5th April 1928 (A. S. XXIII, 134).

766. The Frontier and Tribal Territory.—Generally speaking the Afghans wanted to be friendly and accommodating over Frontier matters, but were suspicious of the Indian Government's forward policy. There were few actual clashes except on the Kurram border.

767. Formal Afghan Protest against "the Forward Policy"¹.—On June 1st, 1927, nearly three months before there was any official mention of the King's proposed visit to Europe, the Afghan Minister in London had called at the Foreign Office and presented a formal complaint by the Afghan Government against the "forward policy" alleged to have been adopted by the Government of India.

A statement that for the last seven years the Afghan Government had been trying their best to transform the neighbourly relations of the two Governments into sincere friendly ones is of particular interest. At the beginning of the period after the Treaty was signed, the Afghans had in fact shown great insistence on the fact that the conduct which they were bound to observe towards the British was not friendly but only neighbourly.²

A reply on lines suggested by the Government of India was sent to the Afghan Minister in London on 26th July, 1927¹. That it did little to allay Afghan fears of the "Forward Policy" is proved by an interview³ which the officiating Foreign Minister gave to Mr. Gould in Kabul on 13th August, by the repetition of the same complaints by King Amanullah himself and of Ghulam Saddiq in the interviews⁴ with Sir Austen Chamberlain, His Majesty's Secretary of State for Foreign Affairs, on the 21st and 26th March 1928, and by recurrent complaints about minor events on the Frontier.⁵

To set against this formal protest there are instances of the best form of co-operation between the two Governments particularly the cordial thanks of the Afghan Government for action taken by the Political Agent, North Waziristan against Gurbaz and Saidgi tribesmen who had given offence in Afghanistan, and the restraint imposed by the Afghans on their own tribesmen during the Mohmand disturbances of 1927.

768. Chitral.—The Dokalim boundary dispute remained unsettled. The Afghans were at this time in the position of having the worst of the dispute and were therefore most anxious for a settlement⁶. By the outbreak of the rebellion matters had reached a stage when the appointment of a joint commission was imminent. (The dispute was not finally settled until the summer of 1932.)

769. Dir, Swat and Bajaur.—The Afghans felt needless alarm at the recognition in May 1926 of the Mian Gul as Wali of Swat.

770. Mohmands.—There was trouble between the Mohmands and the British in the summer of 1927. On other occasions, both before and after, tribesmen from the Afghan side of the Durand line and of the presumptive border have taken part against the British. On this occasion the Afghan Government successfully restrained them.

771. Afridis.—There were suspicions of Afghan intrigues with the Afridis, but on the whole it seems probable that the Afridis were either left alone or given only the coldest of encouragement.

772. The Kurram Border.—There was almost continuous tension on the Kurram border. The first serious incident of the period occurred on 26th July 1927 when British Tribal territory was violated by a body of fifty Afghan 'regulars' and a tribal lashkar of two or three hundred others. The Afghan attitude to the incident was a curious mixture of friendliness and counter-charges. The incident had something to do with the smuggling

¹ Afghan Précis (1927) Para. 328.

² Afghan Précis (1927) Para. 192.

³ Telegram from C. d'A., Kabul, to F.O., London, No. 104, dated the 15th August 1927 (A. S. XXII, 100).

⁴ Despatch from F. O., London, to C. d'A., Kabul, No. 47, dated 4th April 1928 (A. S. XXIII, 159).

⁵ *E.g.*, A. S. XXIV, 204, 204B, 210 and 226.

⁶ Kabul despatch No. 36, dated the 8th May 1928 (A. S. XXIII, 216).

of Afghan timber into the Kurram Agency, a practice which the Afghans themselves were unable to stop and which they expected British officials to stop for them. The Afghan Foreign Minister went so far as to accuse the Political Agent of encouraging and taking advantage of the smuggling, a charge which the Chief Commissioner had no difficulty in rebutting. Later the Afghan Foreign Minister showed more accommodation. On 13th August he suggested to the British Chargé d'Affaires that it should be made known by both Governments that future perpetrators of incursions, whether into India or into Afghanistan, would be punished by their respective Governments and that no plea of retaliation would be entertained.¹ He was also, he said, considering the settlement of all past offences, and was wondering whether this could be best done by a 'tabula rasa' or whether they should appoint joint commissioners, and if so for what period. In January 1928 three Afghan officials of the Southern Province were nominated to discuss² this incident and other matters, particularly the theft of wood from Afghan forests, with British Commissioners in the spring³. On the British side it was decided to nominate the Political Agent, an officer of the Kurram Militia and the Assistant Political Officer.

The Commissioners had not yet come together when another serious incident occurred. On 4th July 1928 a Jaji tribal lashkar of Afghan subjects invaded Kurram Agency territory and carried off 400 head of cattle and two boys. The boys were released almost at once. The invading lashkar suffered a casualty of one man killed at a distance of a mile and half within the Kurram border and another man wounded. On this occasion an official protest was made in Kabul and the Political Agent wrote also to the Governor of the Southern Province.

Much of the tension in the Kurram was due to the smuggling of Afghan timber into the Agency, and the Afghan feeling, already mentioned, that the British authorities ought to do something to help in its prevention. A direct request to this effect was made by the Afghan Trade Agent at Parachinar to the Political Agent on 24th June 1928, and reported to the Government of India for orders.

Another question in which the Kurram Agency was concerned was the return of certain rifles brought into British tribal territory by Mangal tribesmen, which rifles were alleged to have been looted from the Afghan Governments during the Khost Rebellion. After some consideration the Government of India was willing to call upon the Mangal tribesmen to answer by tribal law the charge of looting such of these rifles as were alleged to have been stolen by them personally.⁴ They would not take up the question of rifles which had come into their hands from third parties.

773. Waziristan.—The problem of Afghan interference in Waziristan is discussed as a whole elsewhere (Chapter XI). In the present connection it is enough to say that the Afghans continued to maintain their influence with the tribes on the British side of the line. Nadir Khan's successful re-capture of Kabul a few months later was largely due to the arrival of Wazir re-inforcements for which the maintenance of this influence was responsible.

In June 1927 some Gurbaz, Afghan tribesmen, who had got into trouble with the Afghan authorities and killed members of an Afghan military force sent to arrest them, took refuge with the Saidgi tribe on the British side of the line. There was danger that they would try to commit further offences from this base. The Political Agent, North Waziristan took heavy security from them for their good behaviour and advised them to return to Khost and make peace with the authorities. This, after a

¹ Afghan Précis (1927) Paragraph 451.

² Telegram from C. d'A., Kabul, to F. O., London, No. 20, dated 29th January 1928 (A. S. XXIII, 15-A).

³ Telegram to I. O., London, No. 510-S., dated 9th March 1928 (A. S. XXIII, 73-A).

⁴ Memo. to C. d'A., Kabul, No. 355-F, dated 9th January 1928 (A. S. XXII, 292).

short interval, they did. The Afghan Government twice took the opportunity of expressing their thanks for the friendly attitude of the Indian Government in this matter.¹

774. **Baluchistan.**—No incident of importance occurred on the Baluchistan border during the period.

E. PROPOSALS AND INTENTIONS OF THE BRITISH GOVERNMENT AND THE GOVERNMENT OF INDIA TOWARDS AFGHANISTAN.

775. **General.**—The general attitude of friendliness displayed by both Governments towards Afghanistan can be seen from their conduct in the events already narrated. The Afghan Government, which had hardly believed in the existence of this attitude at all when Sir Francis Humphrys first went to Kabul, was by the end of 1928 more satisfied of it as a general policy though frequently suspicious of it in detail. Among the more obvious acts of friendship which produced their effect were :—

- (i) The hospitality offered and shown by the Government of India to King Amanullah on his transit from Afghanistan to Europe.
- (ii) The hospitality of the British Government in England, the personal hospitality of His Majesty King George V, and the excited reception given by British crowds everywhere to King Amanullah.²
- (iii) The promise to train twenty Afghan military cadets at Sandhurst.
- (iv) The training of six Afghan police cadets at Birmingham.
- (v) The gift of arms and ammunition promised to the Afghan Government as a result of the interviews with Sir Austen Chamberlain in London.³
- (vi) The hospitality shown to the pilot and mechanic of an aeroplane flying from Russia to Kabul, who missed their way and crashed in the Kurram Valley; and the immediate return of the damaged aeroplane to Afghan hands *via* the Khyber.⁴

Other indications of the British attitude are to be found in correspondence between the British Government and the Government of India. One fact which emerges from this correspondence is that although the British Foreign Office shared the Government of India's wish to see British trade established in Afghanistan, and as many as possible of Afghanistan's enterprises in the hands of British firms, it steadfastly refused to commit itself financially in any way. The names of such firms as the Anglo-Persian Oil Company, the Marconi Company (of Great Britain), the Birmingham Small Arms Company and the De Havilland Aircraft Company are all mentioned in connection with trade in Afghanistan, but in no case was their projected business considered of sufficient importance to British policy to justify financial help, and in no case did it materialise. In connection with Afghan attempts to raise money in Europe, the British policy has already been mentioned. It was again determined to avoid any financial commitment.

The nearest approach to financial commitment was in the negotiations with Imperial Airways for a projected Air Service between Lahore and Kabul. Such a scheme was known to be impossible without a subsidy, but Imperial Airways were assured that the enquiry was serious and did in fact

¹ A. S. XXII, 80 and 223.

² Memo. from Sir Francis Humphrys, No. 2271/2/97, dated 16th April 1928 (A. S. XXIII, notes pages 27-28).

³ This gift was to be made at the expense of Indian Revenues, *vide* Telegram from I. O., London, No. 1284, dated 12th May 1928 (A. S. XXIII, 191).

⁴ Telegram from C. d'A., Kabul, to F. O., London, No. 79, dated 20th June 1928 (A. S. XXIV, 53).

produce an estimate. The scheme was dropped when it was realised that by the Aerial Navigation Convention, if private aeroplanes of any country, even of India, were allowed to fly over the limits of the North-West Frontier, it would no longer be possible to exclude the aeroplanes of other countries.¹ The undesirability of having Russian aeroplanes flying in that area is obvious.

776. The Next Treaty.—Throughout the period it was felt that Afghanistan wanted a new treaty with Great Britain and must be on the point of asking for one. There was much correspondence between England and India on the terms to be obtained. The decision communicated by the Secretary of State to Sir Francis Humphrys at Kabul on 12th May 1928 is reproduced in full in Chapter XXV "The Next Treaty".

777. Attitude towards Afghan Purchase of Arms in Europe.—The question of the British attitude towards Afghan purchases of arms and other military stores in Europe was constantly being considered. Although it had to be admitted that between one independent nation and another there could be no downright refusal to sell arms, yet British policy had always to take into consideration the possibility of arms being used either directly or indirectly against their own troops. Not only was there always the chance of the Afghan Government itself using them in this way, but there was the greater chance of their being used by hostile tribesmen. The arms might be stolen and fall into the hands of tribesmen that way, or they might be sold to tribesmen, or the less efficient weapons which they were to replace might be sold to tribesmen. On the other hand there was the certainty that the Afghans would obtain arms from other nations if they did not obtain them from the British, and in that case the British would have no control over the supply of spare parts and ammunition.

The following examples show the application of these different considerations in practice.

(1) After the King's visit to London the Afghan Government were promised a gift of 3 batteries of artillery with 500 shells each, 3 Rolls Royce armoured cars, 6 Vickers Machine guns, and 1,000 up-to-date Lee Enfield rifles with 100,000 rounds of ammunition. It was carefully ensured that none of this equipment should be ahead of anything with which the Army in India was equipped.

(2) The French Government as an act of friendship informed the British Foreign Office on 28th February 1928 that it had permitted the acceptance by the French War Ministry of an order by King Amanullah for five tanks, two 105 m.m field batteries one mountain battery and two ammunition wagons.

(3) In February 1928 a brand new B. S. A. rifle was found in the Khyber Pass offered for sale by a Madda Khel Wazir for Rs. 900. The man said that 24 more such rifles had been brought from Europe by an 'Afghan Minister' and would be offered for sale if a sale could be effected. This was found to be one of a small consignment which the Afghan Minister in London had been allowed to buy and export as samples or presents for friends in Afghanistan. The same official ordered fifty more to be delivered at the Legation for presentation to the King of Afghanistan. In reply to his application for permission he was told²:—

"It is understood that you wish 50 rifles delivered at Legation for His Majesty King Amanullah. In order that the usual facilities may be afforded in India your Government has no doubt already been asked by you to notify His Majesty's Legation, Kabul, of this consignment.

It is unusual, however, for rifles in such quantities to be delivered at private address and it would be preferable if they were shipped direct to Indian ports by makers in usual manner.

¹ A. S. XXVI, 67-A and 210-B.

² Telegram from F. O., London, to C. d'A., Kabul, No. 35, dated 12th May 1928 (A. S. XXVII, 220).

A rifle was recently offered for sale in Khyber which had been exported in 1926 by your Legation. As it may have been stolen from Afghan Army this information may be of use to your Government in detection of offender."

He took the hint and replied that the rifles, together with another batch that was already on order, numbering 238 rifles in all, were to be shipped direct by the firm to the Afghan Consul at Karachi for the Afghan Government.¹ He added that the rifle found in the Khyber Pass had been stolen from a Government magazine.

The discovery of this rifle in spite of the Afghan Minister's denial² of any bad faith, had a satisfactory sequel in the cancellation a month or two later of an order for 2,000 ·303 rifles placed by a German with a British firm on behalf of another high Afghan official. Sir Francis Humphrys formed the opinion that it was the King's own policy to reduce rather than increase the number of arms in the hands of tribesmen, but that it was not always easy for him to prevent unscrupulous persons in high positions from making large profits out of unauthorised sale of arms.

(4) As a result partly of this incident and partly of the placing with British firm of Fleming and Company of an order for 50,000 ·303 rifles and 50,000,000 rounds of ammunition,³ quantities which were considered to be in excess of the Afghan Government's legitimate requirements it was decided that the procedure must be tightened up. The India Office suggested that in addition to the arms being notified by the Afghan Government it would be advisable in future to insist that the consignments should be addressed to the Afghan Government.⁴ The Government of India "agreed to the proposed conditions", and considered that the new provision would be a useful, though a subsidiary, safeguard.⁵ The Minister was instructed to take up the matter with the Afghan Government "on the lines suggested".⁶ He discussed the question with the acting Foreign Minister, who promised to instruct Afghan representatives abroad that all applications for facilities for transit of arms *via* India "must be made to the British Legation, Kabul through the Afghan Government".⁷ Exceptions have since been allowed only in rare cases, each of which has been stated not to constitute a precedent.⁸

F. KING AMANULLAH'S RETURN, OUTBREAK OF THE REBELLION, AND HIS ABDICATION.

778. The King's Return.—The internal and external development of Afghanistan was brought to a sudden stop by events which immediately followed the King's return. The King and Queen arrived at Kandahar on 26th June and at Kabul on 1st July. They had already managed to give serious offence to Eastern feelings by a visit to a shrine in Meshed to which the Queen went unveiled and wearing Western clothes.⁹ On arrival at Kandahar the King had a discussion with the Mullahs about Pardah and made a long speech¹⁰ in praise of Western methods generally. He laid particular stress on the way in which women took part in every form of activity and progress in the West. The Queen was lightly veiled, but made opportunities of announcing that the veil was out of date and of urging Afghan girls to work for the abolition of pardah. The news of her

¹ Telegram from F. O., London, to C. d'A., Kabul, No. 40, dated 26th May 1928 (A. S. XXIII, 241).

² Telegram from Minister, Kabul, to F. O., London, No. 98, dated 5th August 1928 (A. S. XXIV, 204-A).

³ Telegram from I. O., London, No. 1539, dated 8th June 1928 (A. S. XXIV, 27).

⁴ Letter from I. O., London, No. P.-2339/28, dated 17th May 1928 (A. S. XXIV, 22-A).

⁵ Telegram to I. O., London, No. 1265-S, dated 30th June 1928 (A. S. XXIV 83).

⁶ Telegram from F. O., London, to Minister, Kabul, No. 49, dated 17th July 1928 (A. S. XXIV, 148).

⁷ Telegram from Minister, Kabul, to F. O., London, No. 90, dated 27th July 1928 (A. S. XXIV, 168).

⁸ E.g., No. F./11/F/30 of 15th October 1930.

⁹ Letter from C. G., Meshed, No. 27-C, dated 23rd June 1928 (A. S., XXIV, 123).

¹⁰ Enclosure to S. No. 164 (A. S. XXIV).

appearance unveiled in Western countries had already been badly received in Afghanistan and an Indian newspaper had gone so far as to announce that the British were circulating photographs of her without the veil in Tribal and Afghan Territory in order to stir up trouble.

779. Announcement of Reforms.—The King lost no time in making widely known the scope of the Reforms which he intended to introduce. A summary of his intentions and a report of the consternation which they were causing was given by the Minister in forwarding a translation of an extract of a speech delivered by him in Kandahar on 27th June.

The Minister's comments were as follows¹:—

“The speech is interesting as giving an indication of the lessons recently learnt in Europe on which His Majesty desires to lay special stress. Chief among these, it will be observed, is the necessity for education, self-help, and increased national effort, while His Majesty alludes to his favourite theory, which he developed later in Kabul, that no country can fully prosper so long as its women are debarred, under the purdah system, from taking their part in the public service.

Since his return to Kabul King Amanullah has thrown out strong hints that the wearing of European dress, at any rate in the capital, is to be made compulsory, and his views on this subject and on the emancipation of women have caused considerable consternation among the Pathan sections of his subjects.”

In order to give effect to his intentions and to put the Reforms into actual execution King Amanullah summoned the *Loi Jirga*, or Grand Assembly, of 1,001 members drawn from all over the country to Kabul in the first week of September 1928. The unfortunate delegates were made to dress, to their indignation, in a bastard European costume among the features of which were a frock-coat and black soft felt hat. The following projected reforms were made known²:—

- “I. The emancipation of women, including abolition of the heavy veil of the country, and adoption of a light veil. (This latter was voluntary).
- II. To make marriage illegal for youths under 22, and for girls under 18 years of age. (This was received very unfavourably, and was subsequently withdrawn.)
- III. The introduction of monogamy, commencing with all Government officials.
- IV. The abolition of bribery.
- V. The despatch of Afghan women to Turkey for training in hospital and maternity nursing, and of girls for education.
- VI. The adoption of European dress in Kabul
- VII. The period of compulsory military service to be raised from 2 years to 3, without exemptions.
- VIII. Mullas from India or other countries not to be permitted to enter Afghanistan. No Afghan mulla to be allowed to preach without a certificate.
- IX. A forced contribution of Rs. 5 (A.) from every Afghan male over 15 years of age, and one month's pay from every official in order to pay for 50,000 rifles and 50 million rounds of S. A. A. which the King desired to purchase in Europe.
- X. The formation of a military club for officers, one month's pay to be deducted to meet initial expenses.”

¹ Despatch from Minister, Kabul, to Foreign Office, London, No. 67, dated 21st July 1928 (A. S. XXIV, 184).

² From Summary of Events in Afghanistan 1st July 1928 to 30th June 1929. Compiled by General Staff, Appendix pages 15-16.

(A full summary of the King's speech setting forth his own programme and the Minister's comments on its implications and reactions is to be found in despatch¹ from His Majesty's Minister, Kabul, to Foreign Office, London, No. 107, dated the 31st October 1928. The tribesman's version is to be found in the Shinwari manifesto of which a translation was enclosed with Express Letter² from Norwef, Peshawar, No. 9-P. S., dated the 3rd January 1929.)

It can readily be imagined that Reforms such as these, struck at the very root of national and religious customs, and alienated every branch of the population. Small wonder that in course of time reports were heard from the outlying districts that the King was mad. It was not long before opposition to these projected Reforms began to make itself felt.

780. Beginning of the Rebellion.—Early in September 1928, Fazl Rahim and Gul Agha, two Hazrats of Shor Bazar, Kabul, who were considered throughout Afghanistan as the most influential religious leaders in the country, obtained signatures of 400 Afghan mullas to a manifesto declaring that the King's proposals for westernising Afghanistan were contrary to Islam and would not be obeyed. The two Hazrats started for Khost with the manifesto, with the intention of raising the country. On being apprised of their action, however, Amanullah had them arrested and brought back to Kabul for trial.

So far, he had the situation in hand.

But reports from the Khyber and Kurram indicated increasing resentment towards these Reforms, especially those connected with Purdah, female education, and polygamy. Lawlessness, both in the Eastern Province (Jalalabad) and in Kandahar began to increase. The depredations of a well-known highwayman, Bacha-i-Saqqao, in Kohistan to the North of Kabul, necessitated the despatch of troops in order to deal with him. But the army and state officials were affected, and failed to carry out their duties whole-heartedly. Officials from Kabul got into touch with the tribes of the Eastern Province and promised support if they would rise against the King. At a Jirga held at Deh Sarak on the 11th November, it was decided that the Shinwaris would rebel and on the 12th November, lashkars started collecting. It was soon noticeable that there appeared to be a desire to avoid bloodshed, wholesale looting, and destruction, and that the revolt was aimed at the régime, rather than at individuals. It was not spontaneous throughout the country, and spread slowly. The fact that it did, in time, cover practically the whole of Afghanistan, without any central organising figure-head or leader, shows how widespread was the resentment at the proposed Reforms, and the rebellion of 1928-29 may be directly attributed to them.

781. The Rebellion.—A brief account of the course of the rebellion, its reactions in other countries and the attitude of other countries towards it is given in the next succeeding Chapter No. II. It began with the rising against King Amanullah, his overthrow and the seizure of Kabul by Bacha-i-Saqqao, lasted for a year, and came to a virtual end with the recapture of Kabul and accession to the throne by General Nadir Khan.

¹ A. S. XXV, 180.

² A. S. XXVI, 361.



APPENDIX TO CHAPTER I.

MEMORANDUM OF CONVERSATION BETWEEN KING AMANULLAH AND THE SECRETARY OF STATE FOR FOREIGN AFFAIRS, LONDON, DATED MARCH 21, 1928.¹

King Amanullah having expressed a desire to see me, I waited upon him at Claridge's Hotel at 7 o'clock yesterday evening.

Our conversation, which was interpreted by the Afghan Minister in Rome, lasted with his aid for an hour and twenty minutes, in the course of which there was a good deal of discussion between the King and the Minister which I was naturally unable to understand.

I began by offering King Amanullah my best wishes for the Afghan New Year, and remarked that His Majesty had celebrated his New Year, by doing what no other foreign sovereign had yet done, namely, flying over London.

His Majesty seemed pleased with this reference, and I then said that I trusted that the reception accorded to him by the King and by the English people wherever he had been among them had convinced him that the friendly disposition shown by the King was the true expression of the feelings of his people.

King Amanullah replied that the words of the King showed him that His Majesty did indeed desire the establishment of friendship and confidence between us, but His Majesty had said that friendship did not consist only in words but must be shown in deeds. His Majesty had invited King Amanullah to speak to me, and he now wanted to know what I had to say.

I told His Majesty that we had no other desire than to see Afghanistan solidly united around the throne and able to maintain its integrity and independence. Friendship could not be a thing of sentiment only. If it was to be durable it must be founded on common interests, and the interests of Afghanistan and England as neighbours, through India, were the same. We had no designs upon her territory or independence. We desired only a peaceful neighbour with whom we could cultivate relations of friendship and trade to the mutual profit of our peoples and Governments.

King Amanullah replied that what I said of British policy must either be a new decision of the British Government, or, at least, it was not being followed by the Government of India in their frontier policy. I enquired to what was His Majesty referring, and, after some discussion with his Minister, His Majesty said that he had supposed that I should have informed myself of what the Minister for Foreign Affairs had said to Sir Francis Humphrys and the Afghan Minister here had said to the Foreign Office, and that I should have come with practical proposals for the satisfaction of Afghan complaints.

I told His Majesty that I had indeed made myself fully acquainted with these representations. In passing, I must frankly say that the language used by His Majesty's Foreign Minister in Kabul had not been of the kind that I was accustomed to hear or that was usual between the representatives of friendly Powers. I would not, however, dwell on this question of form. Turning to the substance, I must say that I found it difficult to understand the basis of the Afghan complaints. If His Majesty suspected us of designs upon his country or of a desire to press forward to the frontier with aggressive intent, I could assure him that we had no forward policy in practice or in contemplation. We had made no advance since 1919 and we contemplated none. The measures that we had taken had been directed solely to the protection of our own people within the administered areas against raids of the tribesmen and to preventing the conduct of the tribesmen being cause of trouble between His Majesty and ourselves. We had been increasingly using the tribesmen to police their own area, which was at once the proof that we had no desire to occupy their territory and a method of

finding occupation for their more adventurous spirits. There was, therefore, no cause for any suspicions which His Majesty might have been led to entertain, and I could not propose a remedy for a grievance which was purely fanciful.

King Amanullah repeated in vague terms the expression of the suspicions felt by himself and his people in regard to the policy of the Indian Government. He again referred to the King's words and to his expectation that I should make proposals for the removal of these suspicions.

I then said, that, as His Majesty knew, when England was forced into war, as she had been a few years ago by Germany, she stopped at no effort and hesitated at no cost to bring the war to a successful issue. In that war the British fleet had kept the seas not merely for England but for the Allies. British money had not merely sustained our own cause, but had been placed in large measure at the service of our Allies, and we had maintained an army of millions of men for the successful prosecution of the war. But our people were profoundly attached to peace, not, as he would see, because they were not willing to face the sacrifices of war if that became necessary, but because they desired only to live on good terms with their neighbours and to avoid international quarrels. Our desire for peace did not spring from weakness, but it was deep and genuine and it extended to the desire for peaceful and friendly relations with Afghanistan.

King Amanullah replied that, as we were the one nation in Europe which really desired peace and which worked everywhere for it, we ought to be prepared with proposals to remove the suspicions which his people entertained about our treatment of the independent tribes. Where people of the same race existed on either side of a frontier there was a natural sympathy between them, and we ought to be able to satisfy his people that we had no designs upon the independent tribes.

I replied that I had already explained our policy in regard to the tribesmen to His Majesty, but we must understand one another. The position on the Indian frontier was a wholly abnormal one. In the case of France and Germany, Italy and Austria, or Italy and France, each State administered its territory right up to the Frontier line, and the frontier officers of the two countries were within sight and almost within touch of one another. It happened to suit us not to administer our territory right up to the frontier but I could only discuss this question with His Majesty on the clear understanding that the frontier *was* the frontier and that these so-called independent tribes were within our frontier and subjects of the King Emperor. His Majesty would think it a singular thing if I suggested that his officers should not come within 20 miles of the frontier, and he must understand that if we did not administer up to the frontier it was because, subject to the good behaviour of the tribes, we saw no necessity to do so and had no desire to rouse suspicion of our intentions in His Majesty's mind; but our right to do so was clear, and it could not be for one moment admitted that the territory of the tribes formed a no-man's land which we had not the right to enter.

King Amanullah then qualified his use of the word "independent", and said that it was only in the sense in which I myself employed it that he had intended to use it.

The conversation continued to revolve around this point. King Amanullah asked me to receive his Foreign Minister and to discuss the question in detail with him. I said that I should be happy to do so, and I expressed the hope that before His Majesty sent his Minister he would explain to the Minister exactly what he wanted, so that I might give proper consideration to his request. As I had told him, I could not myself make proposals for remedying a grievance which appeared to me purely imaginary and due only to a lack of understanding of British policy and confidence in our friendliness. I would arrange an interview with the Minister on the earliest possible day and should be prepared to discuss with him all questions of principle. When it came to details I would ask His Majesty to allow me to put His Minister or anyone he would like to depute in touch with the officials of my Department, who would follow up our more general conversation. I said, that

in taking this course, I should be following my practice with, for example, the French Ambassador or M. Briand himself, since the British Foreign Secretary had so much work to do and so many people to interview that it was impossible for him to deal with all the details of the many problems which came before him.

King Amanullah showed the strongest desire that the conversations—or, as he said, “negotiations”—should be pursued by me in person. He expressed the hope that they might be terminated while he was still in London, and, with an obvious reference to the India Office (though he did not mention it by name), he insisted that, if they had to be in part conducted by officials, it should be with the officials of my own office.

I repeated that I should be happy to see the Foreign Minister and to have a full explanation with him, and that I hoped he would come prepared to say exactly what Afghanistan desired and what steps His Majesty wished us to take. Our only wish was to maintain and confirm our friendship, to see Afghanistan strong, united and independent, and as safe from attack on her northern frontier as she was safe from attack by us.

March 22, 1928.

A. C.

March 26, 1928.

(N1866/49/97).

Section. I.

No. 1

MEMORANDUM BY MR. OLIPHANT.

The Acting Afghan Minister for Foreign Affairs, Sardar Ghulam Sadiq Khan, accompanied by the Afghan Minister in London and Ali Muhammad Khan, who acted as interpreter, called at the Foreign Office on the 26th March, and was received by the Secretary of State. Sir Francis Humphrys and Mr. Oliphant were also present.

After an exchange of compliments.

Ghulam Sadiq Khan said: The policy of the Government of India for the last two or three years has bred suspicion in the minds of the Afghans. If it be not directed against Afghanistan, what is the danger anticipated in India? The trend of British policy has been to increase British troops on the Afghan frontier.

With regard to the frontier tribes, we understand that a new Government is being set up in Swat and that the Miangul is being furnished with munitions, presumably to fight against the Nawab of Dir and against Buner, because of their opposition to him. Further, ammunition is being furnished to the Turis to fight against the Jajis. Unless the Afghan Government had been prudent and cautious, the result would have been unfortunate and great trouble would have arisen. It had been stipulated in the treaty of 1921 that no attack would be made on the frontier without previous intimation to the Afghan Government, but more and more of the frontier is now being occupied and roads have been pushed forward. This policy cannot but embarrass the Afghans, who are unable to understand, if friendship does in fact exist between them and His Majesty's Government, to what purpose this forward policy is directed. Only last year the Afghans showed their friendship in quite a tangible form in connection with the Mohmands.

According to newspaper reports which have reached Kabul, Great Britain is believed to anticipate danger from Russia to India, and the Afghans regard the forward policy as being developed for this reason. It will be apparent from a glance at the map that Russia could not make a threat on India except at incalculable cost and with the utmost difficulty in the transport of men. If this report of British fear of Russia is inaccurate, then it must be an imaginary danger which underlies the action of the Government of India, possibly a suspicion that Russia, in co-operation with Afghanistan, will attack India. Such an idea has never entered the head of King Amanullah, and Great Britain should furnish proof of her suspicions. The policy of Afghanistan is obvious, namely, merely to develop her civilisation and cultivate most cordial relations with His Majesty's Government and be strong

enough to defend her own interests. Afghanistan has no hostile intentions against others, but wishes to draw close to her powerful neighbour. These suspicions and intentions have already been explained in Kabul and London. In reply, the Afghans have been told that these actions by the Government of India are not directed against their country, and that we should be satisfied with this assurance. On the other hand, if you (Sir Austen Chamberlain) will put yourself in my place, can you regard such assurance as satisfactory? The Afghans have never been told what policy they should pursue in order to gain British friendship. In my opinion, the political interests of Afghanistan and Great Britain are identical. If this assumption is correct, is it not strange that in the last nine years only one treaty has been passed, and, moreover, why has not this neighbourly treaty been developed into a treaty of friendship? But leaving the past to itself what steps can now be taken to improve the relations between the two countries? As you are more experienced than I myself, I venture to ask you, as Secretary of State, to explain why and how the past misinterpretation of India's intentions and consequent mistakes can be removed.

Sir Austen Chamberlain: Your Excellency, let me say for my own Government and for the Government of India that we desire nothing more than good and friendly relations with Afghanistan and to see that country strong, independent, prosperous, able to defend itself and not to be a danger to its neighbours. That is all we desire. The British Government are not afraid of attack by Russia through Afghanistan, and have never done such an injustice to King Amanullah as to suppose that Russia would be able to attack through Afghanistan or that the Government of King Amanullah is plotting, with the aid of Russia, to attack India. Your Excellency will therefore see that suspicion of Afghanistan does not form any basis of British policy. Our difficulty is to understand the suspicion of your Excellency and your Government, knowing that we have nothing to gain from attack. As I have just said, we desire Afghanistan to be strong. How then can Afghanistan suspect us?

I will now deal with your (Ghulam Sadiq Khan's) points *seriatim*.

We certainly recognise the Miangul of Swat. But how can this be a cause of suspicion to the Afghans? Swat is not even conterminous with Afghanistan. Your Excellency has just said that the Afghans desire a strong neighbour, but how does the question of Swat affect this matter?

As regards the Turi and Jaji tribes, there have often been quarrels which have created trouble for our two Governments, and a commission, which has before now sat, is again about to meet. We are perfectly prepared to participate therein. We desire to maintain peace and not to encourage our tribesmen to quarrel with those of Afghanistan.

Turning to Waziristan, no operation on a large scale have been undertaken since 1921. Your Excellency is right in believing that we agreed to inform the Afghans, but there has been no communication to you simply because there have not been any troubles of a nature to entail such action. I have thus gone through the causes of suspicion put forward by Your Excellency, but we see no justification therefor. I repeat that our policy in these territories should not give cause for suspicion. We wish to live in good relations and to cultivate friendship. I believe that the existing treaty should form the basis for such relations if only suspicions on that part of the Afghans could be eradicated. Further, His Majesty's Government will be prepared to listen to suggestions for another treaty. Your Excellency just now alluded to the fact that the 1921 Treaty was the last concluded between us and appealed to my greater experience to suggest an improvement in our relations. Let me explain that His Majesty's Government are in the habit of making but few treaties. Other nations sign treaties of defence, etc. The only time that we have done so recently was at Locarno, which did, in fact, entail a guarantee regarding frontiers. But we have explained that we cannot do more in that direction. This fact, however, does not prevent friendship; for instance, we have no treaty with Italy (I do not allude to a possible commercial treaty), but, nevertheless, Anglo-Italian relations are on the most satisfactory footing. Why? Because

there is mutual confidence on both sides, and, although small matters may create difficulties, it is not necessary for us to depend on a treaty for their removal or the maintenance of strong friendship. Similarly, as regards Afghanistan. If confidence is established, there need be no anxiety. What does Afghanistan want? Let us examine that matter and see what help we are in a position to furnish.

Ghulam Sadiq Khan: Having heard Sir Austen Chamberlain's remarks, I repeat, that seeing that your Excellency's Government have no suspicion towards Afghanistan, why are fortifications being developed?

Sir Austen Chamberlain: What does your Excellency mean? There is no mobilisation, and we are perfectly prepared to join in a commission about the Jaji and Turi.

Ghulam Sadiq Khan: From the days of Amir Abdul Rahman it was understood that there would be no forward policy up to the Afghan frontier.

Sir Austen Chamberlain: I cannot accept, on behalf of my Government, any commitment in this matter. In this case we have not occupied the territory up to the frontier, but we cannot accept dictation by Afghanistan any more than we can issue instructions to King Amanullah. As a matter of fact, no fortifications have been made and no movement of a menacing nature has taken place.

Ghulam Sadiq Khan: How then can our suspicions be removed?

Sir Austen Chamberlain: I am almost tempted to suggest that Your Excellency should make a personal tour of the frontier! But let me now explain matters from my own experience. I have of late seen various instances of suspicion existing between some two European countries. Though only an onlooker, but none the less well-informed, I often find no basis for such fears, and, if only suspicion can be removed, common interests inevitably bring such two countries together. Your Excellency is having your mind poisoned merely by suspicion, and, in consequence, you say that you require proof that we are not plotting against Afghanistan. Similar fears recently arose between Lithuania and Poland. But representatives of the bigger countries examined the question and found that the suspicions of both were groundless. I repeat that Your Excellency's mind is being poisoned. If, however, Your Excellency has practical proposals, do not hesitate to mention them. The case of Swat is, however, irrelevant. May I remind Your Excellency that I had a long talk about the frontier with King Amanullah, and I hoped that I had freed the minds of His Majesty and Your Excellency of all anxiety. His Majesty's Government and the Government of India are animated by most friendly feelings. I suggest, therefore, that Your Excellency should render an account of this conversation to His Majesty and then, perhaps, discuss what possible proofs of goodwill can be forthcoming. We can then have another meeting, but not to go again over the country which we have travelled to-day. Let the suspicions which Your Excellency has mentioned be buried from now on.

Ghulam Sadiq Khan: I myself am ready even now to discuss matters. But do you consider that present Anglo-Afghan relations are sufficiently good?

Sir Austen Chamberlain: Yes, if only suspicion is removed. In old days I realise that very different relation existed between our two countries, when Great Britain stood in the position of a suzerain over Afghanistan. I am not, however, for one moment suggesting that such a state of suzerainty should be restored, especially so far as foreign affairs are concerned; but I do wish to see peace in Afghanistan, which is now a wholly independent nation. If we are able to help in peaceful development, I shall be glad; but given the changed state of relations between the two countries, Your Excellency will understand that we cannot make any proposals about the internal affairs of your country. Will you, then, let me hear what we can do?

Ghulam Sadiq Khan: As you (Sir Austen Chamberlain) have expressed a wish to see a prosperous and strong nation, may I ask what you would wish to do, as mere words are not adequate.

Sir Austen Chamberlain : What practical deeds ?

Ghulam Sadiq Khan : For instance, for Afghanistan to be strong and prove herself a loyal and firm friend of His Majesty's Government, she needs military help; to make her a military forces strong, I suggest the desirability of sending some military students to England and also others for aviation, in order that Afghanistan may be able to defend herself and no longer be exposed to danger. In order to establish confidence among the tribes, His Majesty's Government should give assurances against the adoption of a forward policy. To improve civilisation in Afghanistan, His Majesty's Government know best what to advise. I shall be glad if they will say what Afghanistan should do to prove her friendship. She is in no way opposed to His Majesty's Government, and wishes to be on the best possible terms with them. In the Great War, as Your Excellency will recollect, Afghanistan behaved well, and she has not changed and never will change.

Sir Austen Chamberlain : I suppose to take the points raised by Your Excellency in the inverse order. I do not ask anything of Afghanistan, and am far less suspicious of King Amanullah than he is of us, and I feel that Afghanistan will pursue a policy of friendship with us. I have explained our policy about the tribes, but I am not prepared to give formal assurances of such policy for communication to them. Your Excellency made two practical suggestions : (1) The improvement in the defensive power of Afghanistan by the training of officers in this country. This we are prepared to do, and Your Excellency will realise that the details will have to be worked out in conjunction with Sir F. Humphrys. Conditions prevailing in the two countries are, however, somewhat different, and to secure the best results it would be desirable that the candidates should have had some previous preparation. (2) As regards munitions, that is a somewhat difficult matter. Throughout Europe, at present, efforts are being made to diminish armaments, and this has, in fact, been the practice followed ever since the Great War. We are, however, prepared to see what we can do to help. Perhaps there are also other ways in which we might render assistance.

Ghulam Sadiq Khan : Yes, with regard to commerce and trade, there are some difficulties in the present treaty which should be overcome.

Sir Austen Chamberlain : Your Excellency must excuse me if I am not so well posted in these matters as you yourself are, but the matter is being studied sympathetically and we will go as far as we can. When a nation gives practical help, there is no ground for suspicion. Will Your Excellency forgive me if I explain that it is not only on arms that the strength of a nation depends. What about roads and telegraphs in Afghanistan ?

Ghulam Sadiq Khan : Yes these are being developed. If suspicion is removed then everything improves.

Sir Austen Chamberlain : As I said before, we will study sympathetically the question of munitions and we agree definitely to the training of certain military students.

Ghulam Sadiq Khan then explained that he valued the present opportunity of talking to Sir Austen Chamberlain and considered that it furnished a rare opportunity for encouraging the efforts of our respecting representatives.

Sir Austen Chamberlain reciprocated these sentiments and stated that the meeting had afforded him considerable satisfaction; he hoped that Afghanistan would henceforth be trustful and he explained that details of possible means of help would inevitably take some time to work out. He was prepared, in reply to a suggestion of Ghulam Sadiq Khan, to see whether a statement regarding the main lines of the discussion could be prepared.

When on the point of leaving, Ghulam Sadiq Khan mentioned the case of a National Bank at Kabul about which Prince Lotfallah had recently addressed the Foreign Office. The Secretary of State explained that the matter had already been referred to the Treasury, but that at present a reply had not been received from that Department.

Foreign Office, March 26, 1928.

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THE REBELLION.

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PERIOD II.

THE REBELLION—FROM DECEMBER 1928 TO OCTOBER 1929.

CHAPTER II.

A. FORECASTS OF TROUBLE.

782. **The Rebellion.**—Neither the British Legation at Kabul nor the Government of India were under any illusion as to the seriousness of the trouble which King Amanullah had to face. There had indeed been warnings and rumours of trouble since the moment that the King's projected tour abroad was first announced. Early in September 1928 the British Military Attaché had sent a report¹ showing that the situation had now reached a stage when "all the cards would be on the side of a revolutionary leader should the opportunity produce the man; the army was discontented, the Mullahs were openly hostile, the people were apprehensive, the official class was in a state of uncertainty, and there were insufficient funds in the Treasury to pay for the costs of suppression."

783. **Sir Francis Humphrys' Estimate of the Situation.**—Early in December 1928, when the situation had become openly alarming the Minister gave the following estimate of the situation and of his own intentions:—

"Anger at Amanullah's reforms, which are held to be contrary to tribal customs and to tenets of Islam as expounded by Afghan mullahs, is the cause of Shinwari rebellion.

Sympathy with cause for which rebels are fighting is so strong throughout Afghanistan that rebellion cannot be extinguished by force, particularly as only real force at King's disposal resides in tribal levies. Afghan regular army is untrained, poorly paid and equipped, and even if willing is unable to face tribesmen. Strictly limited as operations of Air Force necessarily are, they produce same result as a stick thrust into a wasp's nest.

Soviet Embassy and, in first instance, Turkish Ambassador advised Amanullah to fight to bitter end, and impose new reforms on his people afterwards. If this advice is followed, I have no doubt whatever that Amanullah will be dethroned. This is probably what Russians desire or at any rate that His Majesty shall be so weakened that he will be a mere tool in their hands.

From the first I have impressed on King and his ministers that their only hope of success lay in securing co-operation of religious leaders to parley with rebels and explain away in a sympathetic spirit doubts and fears of mullahs as well as of tribesmen. It appears that truce will be arranged at least for discussing terms. In high quarters these are said to include a demand for expulsion of all Turks from Afghanistan.

It seems certain that Afghan Government will do this. If he is to retain his throne, King will have to humble himself and eat his words.

Tribesmen will not be satisfied with anything less than vindication of their religious and customary rights and, if Amanullah fails to allay their suspicions on this score, rebellion will spread and within next few months will overwhelm present dynasty."²

784. **The Government of India's appreciation.**—The Government of India wired³ their views to the Secretary of State as follows:—

"Afghan rebellion. We have followed here with growing concern proceedings of King Amanullah since his return from grand

¹ Despatch from Min., Kabul, to F. O., London, No. 90, dated the 24th September 1928 (A. S. XXV, 91).

² Telegram to I. O., London, No. 2782-S., dated the 12th December 1928 (A. S. XXVI, 42).

³ Tel. from Min., Kabul, to F. O., London, No. P. 209, dated the 12th December 1928 (A. S. XXVI, 50).

tour. Present situation as we see it is this. Loyalty of tribes has now given way under intolerable strain imposed by what they cannot but regard as King's madness. It is only appeal of the achievements (apart from his blind zeal for reform) and personality of the Ghazi to Afghan national vanity and patriotism that has hitherto induced them to acquiesce in unprecedented measures which to a ruler of less dominating character would long since have spelt the loss of his throne. Almost every other weapon including support of discontented army seems to have been discarded deliberately by Amanullah, before entering contest, and it is difficult to see how he can emerge without surrender of most that he stands for and consequent crippling of his personal prestige and that of his Government. As Minister evidently considers, it seems out of the question to crush rebellion on present issues with dispirited or disaffected troops, and there remains only compromise. Short of virtually complete abandonment of reforms Conservative leaders are scarcely likely now to allow *locus paenitentiae*. King must in their eyes be stamped as incorrigible for his failure to profit by lesson taught by Khost rebellion.

- (2) Should dethronement be the result, it seems unlikely that successor will be looked for outside the Muhammadzai by rebels, or that any violent change will follow in the existing system of Government. Revolt is rather against violent upsetting of whole social system to which King has committed himself than against existing political order of things. It might fairly be described rather as counter-revolution than revolt. If a new King is to be set up, a respectable but colourless clerical nominee like Inayatullah seems indicated. That such a successor would embark on a pronouncedly anti-British policy seems on the balance of probabilities unlikely. Necessity to turn the eyes of the tribes outwards and to disarm clerical suspicions, which together with modernist nationalist impulse were the causes compelling Amanullah to this course in 1919, would be absent. There is, however, possibility of disintegration of Afghanistan by provinces declaring their own separate independence, should revolt spread or meet with any pronounced success. Such a movement might if combined with Russian exploitation bring us appreciably nearer situation envisaged in recent discussions on defence of India.
- (3) Direct evidence is so far lacking of intrigue and personal ambition as a cause of the revolt and no big name has yet come to the fore among the rebels proper. This is partly due no doubt to fact that most dangerous potential rivals, Nadir Khan, the only Frontier expert and perhaps only first class brain of Afghan Government and his popular brothers of the great Musahiban family, have been removed from the scene by Amanullah.
- (4) As regards our own tribes we endorse Chief Commissioner's appreciation. It is a truism that trouble for Amir usually spells trouble for ourselves. But Afghan commotion seems likely for the moment to spell temporary quiet for our frontier, where attitude of tribes as a whole is at present exceptionally friendly. Happily we are hitherto less identified with odium of western innovations than any other nation represented at Kabul. Indeed favourable comparisons are, according to Baluchistan reports, beginning to be drawn between British tolerance and new-fangled Kabul intolerance of customary and religious practices. We must however, though hitherto there have been no signs of this, bear in mind possibility of endeavours by Russia to mis-represent us as villains of the piece.

- (5) The danger seems at present small of our tribes seriously embarrassing us by embroiling themselves in the revolt. As Bolton remarks, though their sympathies must be against reforms, their permanent pro-Kabul bias may reasonably be trusted to keep them from intervening at any risk to themselves. After all pinch of reforms shoe is not directly felt on this side of Durand Line. There seems therefore reason to hope that under guidance of Chief Commissioner and his officers no serious embarrassment on this score will be experienced from our own tribes.
- (6) It is at present uncertain what attitude will be adopted by powerful Ghilzai nation whose decision, even more than that of Mohmands, may prove decisive factor. The King is favoured by the season, for the Ghilzais, at any rate unless they have reason to hope for British sympathy, are generally loth to commit themselves at a time when an important part of their strength is in India."

Events showed how accurate were these forecasts, and how justified the apprehension that King Amanullah would lose his throne¹.

B. COURSE OF THE REBELLION.²

785. **Eastern Province.**—The original outbreak occurred in the Eastern Province with a rising of Shinwaris on 14th November 1928. The Shinwaris tried to persuade the Mohmands to join them, but the latter were restrained by the Mullah of Chaknaur, and, although they rebelled separately and captured Dakka on their own account, they did not join the Shinwaris. The King sent Ghulam Saddiq to Jalalabad to deal with the revolt. He succeeded in detaching the Mohmands, presumably by bribery, but accomplished nothing else. Meanwhile the Khugianis rose, and attacked and captured Nimla. After Ghulam Saddiq's return to Kabul, Shahgassi Ali Ahmad Jan arrived in the Eastern Province to take charge of affairs. He managed to keep his end up with indifferent success until the first week in February. He fled from Jalalabad on the 8th, and the town was looted and destroyed two days later. S. Ali Ahmad Jan eventually escaped to Peshawar, and rejoined Amanullah in Kandahar in April.

In Kunar the regular Afghan garrisons deserted and all government control disappeared from the Valley.

786. **Kabul.**—Bacha-i-Saqqao, a raider and highway-man who had actually been imprisoned for house-breaking in Parachinar, seized the opportunity provided by the revolt in the Eastern Province to come down on Kabul from the other side. The fort of Jabal-us-Siraj surrendered to him with its garrison of 900 men, their arms and ammunition, on 10th December. On 14th December he began his attack on Kabul. After fierce fighting he gained undisputed possession of the town by the middle of January, his forces by that time numbering about 15,000. King Amanullah abdicated in favour of his brother Inayatullah on 14th January, and retired by air to Kandahar. The Queen, her seven children, the Queen Mother and Ghulam Saddiq had preceded him there on 21st December. Inayatullah remained King for two days, and on the 17th was evacuated with his family to Peshawar by air.

Bacha-i-Saqqao proclaimed himself King of Afghanistan under the title of Habibullah Ghazi on 17th January 1929. His accession was followed by a remarkable outburst of feeling in favour of the Afghan Royal Family (rather than for Amanullah) among the tribesmen on the British side of the border and amongst Muhammadans generally in Northern India.

787. **Kandahar.**—Amanullah was able to maintain his position in Kandahar longer than any where else, though he was unpopular even there and seems

¹ Compare also Afghan Précis (1927), para. 333.

² This section is taken almost verbatim from the General Staff Summary of Events in Afghanistan 1929-30. The source is acknowledged with thanks. A. D. F. D.

only to have been tolerated as an alternative to anarchy. By the end of March he had collected a large enough force to attempt a march on Kabul, from which he was driven back unsuccessful.

788. Arrival of Nadir Khan and his brothers.—General Nadir Khan was in France at the outbreak of the rebellion. He had been Afghan Minister in Paris in 1924, but had to resign on account of illness in 1926. His brothers Shah Wali and Hashim Khan were with him. Another brother, Shah Mahmud, had remained in Afghanistan.

Nadir Khan, Shah Wali and Hashim Khan left Marseilles on 8th February 1929 and landed at Bombay on 22nd. Their attitude was guarded and correct. They arrived in Peshawar three days later, stayed quietly there till 6th March, and then entered Afghanistan *via* the Kurram. Shah Mahmud joined them there. Three of the brothers set quietly about consolidating their position in the Southern Province, while Hashim Khan went to the Eastern. By the end of April they had collected something like a force, though it is said that before being able to do so Nadir Khan had to swear that he was not working for Amanullah. The force was defeated by Habibullah's troops near Shamazar on 28th April. After that the tribes appeared to lose interest and neither Nadir Khan in the South nor Hashim Khan in the East was able to make any headway. The brothers suffered another heavy defeat with the loss of Gardez in June, and withdrew to Hariob.

789. Events in Herat.—Supporters of Amanullah managed to hold Herat until May when it was captured on Habibullah's behalf by Abdur Rahim.

790. Events North of the Hindu Kush.—Events North of the Hindu Kush followed much the same course as elsewhere. After the first outbreak of the rebellion, a fairly strong resistance to Habibullah was put up by Ghulam Nabi, who was assisted by Afghan subjects living in Soviet Territory. It is almost certain that the latter were supplied with arms and ammunition by Soviet officials.

Ghulam Nabi gave up the struggle after Amanullah's flight to India. The only determined supporters of the late King in that area were then the Hazaras of Ghorband and Bamian. These never ceased to give trouble to Habibullah.

791. Flight of Amanullah from Afghanistan.—Amanullah led out his forces from Kandahar for the recapture of Kabul at the end of March 1929. They were defeated, largely owing to an attack on the flank by Suleman Khel Ghilzais, and driven back to Kalat-i-Ghilzai. Amanullah showed signs of making a stand at Kalat-i-Ghilzai, but with the rapid approach of Habibullah's forces his courage finally failed him and he fled, as fast as motors could take him, to British India. He arrived in Chaman with all his family on 23rd May, having given no previous warning of his coming.

A special train placed at his disposal by the Government of India took him to Bombay, whence he sailed for Europe on 22nd June 1929.

792. Further successes of Habibullah.—After Amanullah's flight nothing could go wrong, for a time, for Habibullah. Nadir Khan's lashkar was defeated and Gardez was captured for Habibullah on 26th June; a force collected by Shah Mahmud was defeated on 16th July, Shah Mahmud was driven out of the Logar Valley, and his lashkars dispersed; in the Eastern Province, Hashim Khan's lashkars fought for two days without decision against Habibullah's troops, and then deserted him; North of Kabul the Hazaras got the better of the fighting with Habibullah's troops but accepted a truce and remained temporarily quiet; in August Nadir Khan and his brothers collected another lashkar in the Southern Province but were unable to make any headway against Muhammad Saddiq, who was holding Gardez.

793. The Turn of the Tide.—In August, when his fortunes were at their lowest ebb, Nadir Khan asked the Government of India to allow the Mahsuds and Wazirs to join him. In pursuance of the Government's declared policy of non-intervention this request was refused. In spite of genuine efforts on

the part of Frontier Officials to restrain them a Wazir lashkar two or three thousand strong, recruited from both sides of the Durand Line, joined Nadir Khan at his headquarters in Ali Khel between 18th and 20th September. Another small contingent joined him a few days later. From that moment the tide turned in Nadir Khan's favour. Nadir Khan's forces, commanded by Shah Wali, swept victoriously on until by 6th October they were under the walls of Kabul.

Meanwhile the Shinwaris of the Eastern Province had independently reached the conclusion that they could tolerate Habibullah's rule no longer. They rose and re-occupied Jalalabad, driving Habibullah's Kohistanis in flight to Kabul.

794. Re-Capture of Kabul and fall of Habibullah.—On 10th October Shah Wali's troops captured most of Kabul and surrounded the citadel in which Habibullah had taken refuge. Habibullah started to sue for peace, but escaped during the night of 12th-13th and fled to Jabal-us-Siraj. He gave himself up on 22nd October, and on return to Kabul was immediately put under arrest. On 1st November he and his brother and ten of his supporters were executed.

Shah Wali's troops looted all Government buildings, including the citadel, as soon as Kabul was in their hands.

795. Accession of King Nadir Shah.—On 16th October Nadir Khan proclaimed himself King of Afghanistan under the title of Nadir Shah.

C. BRITISH REPRESENTATIVES IN AFGHANISTAN DURING THE REBELLION.

796. The Legation during the early stages of the Rebellion. Sir Francis Humphrys' advice to the King.—The seriousness of the outbreak and the intensity of the feeling against King Amanullah were appreciated by Sir Francis Humphrys from the first. He had a long audience with the King on 13th December, in the course of which he gave the King the following advice :—

“Shinwari rebellion was then discussed and I did not mince my words. I said that I had not in the course of 26 years' service near Indian frontier experienced a conflict which had provoked such an out-burst of Pathan ferocity. To try quelling rebellion with bullets and bombs was useless as flame would only be fanned thereby. Cause of rising must be faced and eradicated. Firstly there was apprehension on part of Mullahs that Afghan Government completely resolved to destroy their influence with people and, secondly, tribesmen's fierce resentment at attacks which they believed were being made on their ancient and religious customs by abolition of purdah, compulsory introduction of European dress and female education.¹”

King Amanullah did in fact attempt to put this advice into practice, but not till after a delay of many days, by which time it was too late.

797. The Legation in a State of siege.—On December 14th Bacha-i-Saqqao's forces began their attack on Kabul from the side on which the Legation was situated. The King's troops in the neighbourhood, including the Legation guard, fled. The insurgents numbering some two or three thousand advanced on the city down the road past the Legation. The Legation gates were closed at once. The tribesmen did not attempt to break in, and in the course of a parley at the gate gave assurance that they would do no harm to the Legation. In the course of this parley Bacha-i-Saqqao himself spoke to the Minister. This was the only occasion on which Sir Francis Humphrys and Bacha-i-Saqqao met.

¹ Telegram from Min., Kabul, to F. O., London, No. 212, dated the 13th December 1928 (A. S. XXVI, 58-A.).

For the next few days the Legation buildings were caught between the fires of the opposing forces. Movement within the grounds was possible, though often under fire, and communication with the city was cut off. Rifle bullets and shells, were falling in numbers on and around the Legation buildings. On 18th December an aeroplane arrived from Peshawar to see how the Legation was faring. It was fired at while dropping a message; bullets penetrated the radiator and machine had to land. The pilot, when it was found that he had come only for a peaceful purpose, was hospitably received and entertained by the Afghan Air Force. A second aeroplane came later in the day, dropped a parcel containing a Popham signalling panel into the grounds of the Legation, and returned to Peshawar in safety. On December 19th more and more shells fell into the Legation grounds, and the Military Attachés house caught fire and was burned to the ground. On December 22nd the King's fortunes were temporarily in the ascendant. Two representatives of the Afghan Government came to the Legation for the first time since the beginning of the fighting to establish communication. They agreed to allow machines to land at Sherpur aerodrome for the purpose of evacuating ladies and children, and a telegram to this effect was sent to the Government of India. Contact was also established with other Legations who were informed of the intended evacuation and told that arrangements would be made in due course for the evacuation of their women and children also.

The Afghan officials at the same time presented a request to the Minister that he would move out of the Legation into the Wali Hotel in Kabul, partly for his own protection and partly so that the King's troops might use the Legation buildings for military purposes. The Minister refused. The Pilot and mechanic of the British aeroplane which had made a forced landing on 16th December were also allowed to come to the Legation that day, and remained there till the final evacuation.

The ladies and children of the Legation were successfully removed to Peshawar on 23rd December. Their conduct throughout the days of peril had been of a nature which "splendidly upheld the proud traditions of their race¹".

On the following and subsequent days the ladies and children of other Legations were similarly taken to Peshawar by air.

By 25th December the King's troops had driven Bacha-i-Saqqao's men away from Kabul and the Legation buildings were out of the firing zone for the first time for eleven days. The buildings had received 62 direct hits from shells and bullet holes innumerable, two faithful Afghan servants had been shot dead in the execution of their duty, and all members of the staff had had narrow escapes from death.²

798. Withdrawal of the Legation.—It now became a question whether there was anything to be gained by the Legation remaining in Kabul. The King's triumph was short lived, and by 14th January he had abdicated and fled to Kandahar.

The Chief Commissioner, North West Frontier Province and the Government of India both favoured withdrawal of the Legation until the re-establishment of a settled government. Their views to this effect were communicated to the Minister before Amanullah's flight. The Minister, while contemplating the possibility of withdrawal felt that he must stay for at least so long as it was possible "for a diplomatic mission to perform its proper function³". He added that in his opinion the sight of the Union Jack flying in Kabul was in itself a sign of security and stability to the people, and that premature withdrawal would "precipitate Amanullah's fall, lead to chaos, panic and possibly massacre, and so involve all Legations and their colonies in danger". He regarded it, moreover, as his duty to supervise the removal of British nationals and of other Legations and their nationals before withdrawing the British Legation. He asked that the Governments of France, Germany,

¹ (A. S. XXVI, 431).

² (For sources of this account see A. S. XXVI, 431 and 609, and XXVIII, 206).

³ Tel. from Min., Kabul, to F. O., London, No. 39, dated the 14th January 1929 (A. S. XXVI, 478).

Italy, Turkey and Persia should be invited to prepare their Legations for eventual withdrawal, and that in the meanwhile the question of his own withdrawal should be left to his unfettered discretion.

It was only two days after sending this telegram that Sir Francis' diplomatic mission was able to perform a function of the greatest value to the country to which it was accredited. This was the removal of Inayatullah by air to Peshawar, arranged by Sir Francis Humphrys with the Government of India with the consent of the opposing forces. Many Afghan comments subsequently made have been to the effect that this action saved Kabul from complete chaos and destruction. After Inayatullah's removal all resistance to Bacha-i-Saqqao collapsed.

After the proclamation of Bacha-i-Saqqao as Amir Habibullah, Sir Francis Humphrys saw that stable government in Afghanistan was unlikely for some months to come. He had therefore to consider again the arguments for and against general evacuation. After considering all the arguments¹ he suggested that he should be allowed to effect the complete withdrawal of the Legation by the first week in March; this, given average weather and a sufficiency of aeroplanes would give him ample time to "fulfil every reasonable obligation to evacuate British subjects and foreigners, to reduce the Legation to a minimum, and to give his colleagues the chance of evacuating their Legations before he himself left Kabul". The Soviet Legation had their own Air Service by which to leave Kabul, and he did not believe they would remain long after the British.²

Sir Francis' recommendations were accepted and preparations were made accordingly. By arrangement with the Government of Amir Habibullah, in whose name the Afghan Foreign Office had re-opened and was continuing to function, four British aeroplanes a day were allowed to fly to and from Kabul, and the evacuation of British subjects and other foreigners went on apace.

On 20th February Sir Francis Humphrys had a "difficult and delicate interview" with the Foreign Minister, in which he announced the impending withdrawal of the British Legation and asked for permission for eight aeroplanes to land for the purpose on the 25th. The Foreign Minister was considerably shocked at the announcement, but he recognised that it was final and permission was reluctantly given. Sir Francis and the remainder of his staff were safely conveyed to Peshawar on 25th February 1929.

The following messages were exchanged:—

From the India Office London to the Government of India³:—

Immediate.—"Please convey to Sir Francis Humphrys my cordial congratulations on the successful evacuation of himself and all his colleagues from Kabul and my admiration for high qualities which have been displayed during these months of acute crisis.

I also wish to express my warm appreciation of services rendered by Royal Air Force both of high command who devised the arrangements and of the individual officers who carried them out with such notable success."

From the Government of India to Sir Francis Humphrys⁴:—

Clear Line.—"Following received from Secretary of State No. 701, dated 25th February. *Begins.* Please convey acute crisis.

Government of India have great pleasure in transmitting this message to you from the Secretary of State for India. Government of India have followed the critical course of the last months in Kabul with anxious concern but with unfailing confidence ever strengthened by your ability to uphold the good name of the two countries to safeguard British and Indian interests, and your skilful handling of each crisis as it arose."

¹ Tel. from Min., Kabul, to F. O., London, No. 129, dated the 1st February 1929 (A. S. XXVII, 8).

² Telegram from Min., Kabul, to F. O., London, No. 134, dated 2nd February 1929 (A. S. XXVII, 16).

³ Tel. from I. O., London, No. 701, dated the 25th February 1929 (A. S. XXVII, 439).

⁴ Tel. to Min., Kabul, No. 281-K, dated 26th February 1929 (A. S. XXVII, 457).

From Sir Francis Humphrys to Foreign Office London¹ :—

Clear the Line.—25th February “ We all arrived safely this morning at Peshawar and Kabul evacuation is now complete. It is seven years to the day since His Majesty’s Legation first crossed the Afghan border. The Royal Air Force have performed an historic achievement. They have conveyed 586 persons in 82 aeroplanes without a single mishap to passengers since 23rd December over mountainous country in the depth of winter at an average height of ten thousand feet. Conditions have always been difficult and for the last two days almost insuperable on account of the heavy fall of snow. The services of Flying Officer Trusk who was shot down on 18th December and remained in the Legation as a supernumerary member of my staff have been invaluable. ”

The detail of the evacuation carried out by the Royal Air Force was as follows :—

Record of British and Foreign Subjects Evacuated from Kabul by the Royal Air Force, December 23rd 1928, to February 25th, 1929.”

Nationality.	Men.	Women.	Children.	Total.
British	16	4	3	23
British Indian	162	69	113	344
French	12	11	..	23
Italian	16	3	1	20
German	24	24	9	57
American . . . . .	..	1	..	1
Australian	1	..	..	1
Persian	7	8	10	25
Turkish	7	22	20	49
Syrian	1	1	3	5
Swiss . . . . .	..	1	..	1
Roumanian . . . . .	..	1	..	1
Afghan	22	8	6	36
Total	268	153	165	586

799. **British representation after the withdrawal.**—The Legation buildings were left in charge of Rahmat Khan, a petty Pathan land-owner of Peshawar District, who volunteered with another to remain behind as care-takers. He made occasional attempts at performing diplomatic functions but these were not encouraged. Rahmat’s proudest moment came on the day when Nadir Khan was proclaimed King. Nadir himself sent for him on that day, accorded him an interview lasting half an hour, expressed to him his appreciation of British friendship, and asked him to transmit a cordial message to Great Britain and the Indians through the Oriental Secretary Peshawar.

After the return to Peshawar the Staff of the Legation returned to other duties, with the exception of the Oriental Secretary. The latter remained in Peshawar, where he performed miscellaneous duties such as the collection of information, the interviewing of Afghan subjects and emissaries, and the passing to and fro of news and official and quasi-official messages. He was in telegraphic communication with Rahmat Khan.

800. **Fate of the Consuls at Jalalabad and Kandahar.**—The British Consul at Jalalabad had long ago been driven out of Jalalabad by the revolting Shinwaris and had taken refuge with the Naqib Sahib of Charbagh. He eventually made his way back to India *via* the Kurram.³

The Consul at Kandahar remained in comparative security and continued to perform his duties. When it was decided to withdraw the Legation it was at first suggested that the Consulate at Kandahar should be maintained⁴.

¹ Tel. from Min., Kabul, to F. O., London, No. B. L.1, dated 25th February 1929 (A. S. XXVII, 45t.).

² Appendix to Serial No. 206, A. S. XXVIII.

³ A. S. XXVI, 526.

⁴ Tel. to I. O., London, No. 717-S, dated 13th February 1929 (A. S. XXVII, 249).

On second thoughts this was considered undesirable, chiefly because the withdrawal of the Legation from Kabul, where Habibullah was established, and the maintenance of a consulate at Kandahar, where Amanullah professed to have resumed his King-ship, might have been mis-interpreted as an indication of British support for the latter.¹ The Consul left Kandahar on 27th February and reached Quetta without difficulty.

801. Evacuation of other Legations.—At Sir Francis Humphrys' request invitations were given to the Governments of France, Germany and Italy to instruct their Legations in Kabul to concert arrangements with Sir Francis for speedy evacuation of themselves and their Ministers. In spite of much indecision and wabbling on the parts of other Legations, the necessary evacuations were all carried out before the British Legation left. A number of German nationals, who for one reason or another were unable to leave, remained behind. Baron Von Plessen, who was on his way to Kabul as Minister when the rebellion broke out, went up to Kabul to look after their interests, arriving only two days before Sir Francis Humphrys left. He remained behind, but came out through Quetta with three other German subjects early in August.

The Russian Legation was never entirely closed, though the Minister himself departed. The Turkish Minister remained in Kabul throughout the whole period of civil war.

D. BRITISH POLICY DURING AND IMMEDIATELY AFTER THE REBELLION.

802. Declarations of Neutrality and Non-Intervention.—The declared British Policy towards Afghanistan during the rebellion was a policy of neutrality and non-interference. The following is a statement of this policy given in a telegram from the Foreign Office, London to the British Minister, Kabul² :—

“His Majesty's Government have no intention of interfering in internal affairs of Afghanistan by supporting or assisting any of the parties at present contending for power in that country. They earnestly desire the establishment of strong Central Government and they will be prepared when this Government is established to show their friendship for the Afghan people by giving it such assistance as they can in reconstruction and development of the country.”

A reply to this effect was given on each occasion when a direct request for assistance was made. Such requests were made at different times by Amanullah himself, by Ali Ahmad Jan, and by Nadir Khan more than once. A similar formula was used in replying to requests for action in India which might have favoured or prejudiced any of the contesting parties, and in conveying warnings to Afghan officials and others whose propaganda or general activities were found undesirable.

803. The Policy in Practice. Active Enforcements of the policy included :—

- (i) Action against armed refugees entering India from Afghanistan.
- (ii) Detention of war material in transit through India.
- (iii) Prevention of propaganda in India.
- (iv) Restrictions on the movement of individuals in and through India.
- (v) Restraint of the tribes and potentates in the Frontier.

¹ Tel. From Min., Kabul, to F. O., London, No. 218, dated the 16th February 1929 (A. S. XXVII, 294).

² Tel. from F. O., London, to Min., Kabul, No. 30-Forminka, dated the 2nd February 1929 (A. S. XXVII, 15).

804. **Action against armed refugees entering India.**—The action ordered against armed refugees was as follows¹:—

“Regulars should be called on to deposit their arms but allowed personal freedom to go where they wish, their arms being returned only if they return to Afghanistan in formed bodies to rejoin Government forces.” Action to be taken against irregulars was left to the discretion of the Chief Commissioner, North-West Frontier Province, the main consideration being that there should be no increase in the difficulties of the Afghan Government.

A body of 38 Afghan sepoys under an Afghan colonel and three other officers, with one gun, five machine guns, and 120 rifles entered Chitral early in January 1929 and were dealt with under these instructions². Habibullah made a request³ at the end of May for them to be returned to Afghanistan with their arms. The request was refused in accordance with ‘recognised international usage’⁴. The whole garrison of Pathan Post on the Kurram border arrived in Parachinar in similar circumstances on 19th February 1929,⁵ having deposited their arms in the British Post at Kharlachi. They were given the choice of returning at once with their arms by the route by which they had come, or of returning to Kandahar *via* Chaman without their arms. They chose the latter alternative^{6a}.

805. **Detention of War Material in transit through India.**—Arms in transit through British India were detained, to whomsoever they might be consigned. The Government of India’s policy in this matter was^{6b} “that we should decline all transit of arms to Afghanistan. Whether Amanullah’s machine guns are consigned to him personally or to the Afghan Government seems to us immaterial for we do not recognise any Government and do not allow private consignments until there is an established Government whom we can recognise.” This particular declaration of policy was made with regard to a consignment of machine guns which Amanullah had ordered in France and which were held up at Karachi. The Secretary of State confirmed the Government of India’s proposals.⁷ Habibullah later made a telegraphic request⁸ for the detention of all such arms and ammunition, and was told⁹ in reply that “in pursuance of their declared policy of scrupulous neutrality and non-intervention the Government of India have throughout prohibited the export to Afghanistan of consignments of munitions from whatever source and to whatever destination”.

An unserviceable aeroplane was similarly detained at Chaman.¹⁰

806. **Prevention of propaganda in India.**—Propaganda in British India was attempted by certain sections of the Press, by private individuals, and by Afghans claiming official positions. Every effort was made to suppress propaganda from any of these sources. The Press did much to undo in Afghan eyes the good effects of adherence to the policy of non-interference. The Government of India issued a strong contradiction¹¹ of Press reports attributing the rebellion to British interference and asked local Governments to undertake prosecution of the principal offenders.

Afghans claiming official positions who had to be given serious warning included the Afghan Consul General and all his subordinates.¹² The Afghan Visa Officer at Quetta, the Afghan Consul at Bombay and the Afghan Trade Agent at Peshawar were the worst offenders.

¹ Tel. to N.-W. F. P., No. 2708-S., dated the 11th December 1928 (A. S. XXVI, 34).

² A. S. XXVI, 519.

³ A. S. XXVII, 838.

⁴ A. S. XXVII, 849.

⁵ A. S. XXVII, 361.

^{6a} Telegram from N.-W. F. P., No. 192-P, dated the 26th February 1929 (A. S. XXVII, 453).

^{6b} Tel. to S. of S. for India No. 1258-S., dated the 2nd April 1929 (A. S. XXVII, 659).

⁷ Tel. from I. O., London, No. 1441, dated the 2nd May 1929 (A. S. XXVII, 745).

⁸ Tel. to I. O., London, No. 1687-S., dated the 16th May 1929 (A. S. XXVII, 769).

⁹ *Ibid.*

¹⁰ Tel. from Baluchistan No. 974-S., dated the 5th May 1929 (A. S. XXVII, 752).

¹¹ A. S. XXVI, 369.

¹² Telegram to Bombay, No. 423-S., dated the 30th January 1929 (A. S. XXVI, 771).

807. Restraints on the movements of individuals in and out of India.—Individual Afghan subjects whose movements in and through India had to be considered, included persons already in India who wanted to go to Afghanistan, persons out of India who wanted to enter India and pass through to Afghanistan, and persons in Afghanistan who wanted to come to India.

(i) **Refugees already in India.**—The most important persons already in India who wanted to go to Afghanistan were persons who were already in detention or under surveillance as political refugees. Several of these escaped from surveillance as soon as news of the rebellion reached them. Sardar Umar Khan in particular escaped from Allahabad¹. As the escape of a similar refugee named Abdul Karim, and his subsequent participation in the Khost rebellion, had caused the Afghan Government great trouble a few years earlier, and had brought considerable odium on the Government of India, frantic efforts were made to trace him. He outwitted all these efforts and was next heard of among the Shinwaris, which tribe later offered to return him to the British in return for a reward and on certain conditions. He eventually gave himself up unconditionally in June 1929 and was sent under surveillance to Burma.² As a result of his and other escapes the Government of India decided to send to Burma all refugees of whose intention to re-enter Afghanistan there was the slightest likelihood.³

(ii) **Others.**—With regard to Afghan subjects other than political refugees, for whose absence from Afghanistan they themselves were to some extent liable, the Government of India decided that to prevent their return to their own country would be contrary to their policy of non-intervention. Habibullah asked, principally in the hope of being able to stop Nadir Khan's return, that transit visas should not be given without the previous consent of his Government, but this request was refused.⁴ It was in accordance with this decision that Nadir Khan on his return from Europe was allowed to land at Bombay and pass *via* Peshawar and Parachinar into Afghan Territory.

Early in March the Government of India framed rules⁵ for their own guidance. They did not publish these rules but published the substance of them in a communiqué as follows⁶ :—

“It appears that some misunderstanding exists over the nature and purpose of the regulations which Government have laid down regarding the crossing of the Afghan frontier during the present crisis. These are dictated by Government's declared policy of non-intervention and neutrality and by their determination to prevent our frontier districts being used by any of the contending parties in Afghanistan as a base for furthering civil war, and in particular to frustrate the efforts that are being made to embroil our frontier tribes in it.

Permission is in no case given to British subjects to cross the frontier into Afghanistan.

Afghan combatants, regulars or irregulars, who seek temporary refuge in India are disarmed on entry and required to move back into Afghanistan within a reasonable time in whatever direction and by whatever route they please. Their arms will be retained until there is an established Government in Afghanistan to whom they can be returned.

While the movements of ordinary Afghan traders, and individual Afghan tribesmen are left unrestricted, the entry into India as political refugees is discouraged, but transit is given freely for direct journey to a foreign destination. In the case of officials of the

¹ Telegram from U. P. Govt., No. 262, dated 31st December 1928 (A. S. XXVI, 302).

² Telegram to Bengal, No. 2592-S., dated 27th August 1929 (A. S. XXVIII, 157).

³ A. S. XXVI, 420.

⁴ Letter from F. O., London, to Paris, No. 438, dated 16th February 1929 (A. S. XXVII, 526).

⁵ Telegram to I. O., London, No. 1126-S., dated 19th March 1929 (A. S. XXVII, 574).

⁶ Telegram to I. O., London, No. 1262-S., dated 2nd April 1929 (A. S. XXVII, 664).

various *de facto* Governments and others of similar standing, permission to transit the frontier provinces from one part of Afghanistan to another in whatever direction is ordinarily given once only. Permission to visit India however is given freely on condition that travellers pass to their cis-Indus destinations without halting in transit in the frontier districts and abstain during their stay in India from anti-British or other obnoxious activity."

808. Restraint of tribesmen and potentates in Frontier Tribal Territory.—The inhabitants of Tribal territory are never slow to turn another's misfortune to their own advantage. His Highness the Mehtar of Chitral saw an opportunity of recovering territory which had been lost to Chitral in 1895¹. His petition to this effect to the Government of India was met with the inevitable reply warning him not to interfere, which he accepted² in good part. In spite of this he re-occupied Dokalim in the winter of 1929/30. (Para. 951).

Elsewhere along the border every effort was made to restrain the tribes either from interfering in Afghan affairs or from taking advantage of Afghan pre-occupations. The restraint exercised on the Mohmands at the beginning of the outbreak was duly appreciated by King Amanullah³. Similar action taken all along the border was on the whole successful, and towards the end of the rebellion the Government of India were able to claim⁴ "some appreciation of the successful efforts made by their frontier officers to enforce their policy of neutrality, a policy dictated by their immutable respect for the independence of Afghanistan. Magnitude of the task of the frontier administrations can be gauged by the fact that there are over 400,000 fighting men on the British side of the frontier who have been subjected in the past to much mischievous intrigue by local Afghan officials and recently to intensive propaganda. If out of these a handful here and a handful there have disregarded the Political authorities and their responsible maliks it is surely rather a matter for surprise that so few have succumbed to the strong temptation to participate in the civil war than for complaint that some have done so."

On only one occasion was armed force invoked to prevent bodies of British tribesmen from crossing over to Afghanistan. On that occasion the mere show of force proved to be enough, and the extent to which the Government of India might have been embarrassed by its use was never made clear.⁵

On the Kurram border the Turis made a raid into Afghanistan in retaliation for Jaji raids of the previous year.⁶ The Political Agent recovered the raided cattle, punished the ringleaders, and later effected a truce⁷ between the Jajis and the Turis to last for two years or until the re-establishment of settled Government in Afghanistan.

809. The more passive side of enforcement of the Policy of Non-Interference involved not only the refusal of all kinds of direct help to any of the contesting parties, but the most careful avoidance of anything which could possibly be so mis-interpreted. Amanullah asked outright for arms and ammunition to help him regain his throne as soon as he reached Kandahar. The Afghan Foreign Minister who communicated this request to Sir Austen Chamberlain in London received the following reply⁸ :—

"His Majesty's Government have given this request their most sympathetic consideration, but they much regret that international considerations prevent their interfering in internal affairs of Afghanistan by giving assistance in form of arms to one or other

¹ Express letter from N.-W. F. P., No. 312 P. C., dated the 8th February 1929 (A. S. XXVII, 144).

² Memo. from N.-W. F. P., No. 359-P. C., dated 14th February 1929 (A. S. XXVII, 286).

³ Tel. from Min., Kabul, to F. O., London, No. 212, dated the 16th December 1928 (A. S. XXVI, 194).

⁴ Tel. to S. of S. for India, No. 3045-S., dated the 8th October 1929 (A. S. XXIX, 38).

⁵ A. S. XXVIII, 294 and XXIX, 3.

⁶ Tel. from N.-W. F., No. 43-C., dated the 26th March 1929 (A. S. XXVII, 616A).

⁷ Tel. from N.-W. F., No. 335-F., dated the 4th April 1929 (A. S. XXVII, 668-A).

⁸ Tel. from F. O., London, to Min., Kabul, No. 22, dated the 29th January 1929 (A. S. XXVI, 753.)

party when there is no generally acknowledged ruler or Government in country. I need not add if His Majesty's Government can show their friendship for His Majesty in any way which does not involve such interference they will be most pleased to do so."

Early in the course of the rebellion, Amanullah had asked¹ for fulfilment of the promise of a large present of arms from the British Government in commemoration of his visit to England. The Government of India was preparing to go to the length of giving him lorries but no further. While they were still temporizing he lost his throne and the question lapsed.²

Nadir Khan made several direct requests for help after his return to Afghanistan including one for help in the form of a loan,³ but all had to be reluctantly refused.

Examples of the care with which any appearance of partiality were avoided are to be found in the answers made to requests for recognition made by the various contesting parties and the withdrawal of the Consul from Kandahar at the same time as the withdrawal of the Legation from Kabul.⁴

§10. Assistance to Individuals.—The policy of non-interference in Afghan affairs did not preclude the Government of India from giving help to individuals in distress, however highly placed these individuals might be. In giving such help, however, they had always to avoid any appearance of allowing India to be used as a base for further activities.⁵

The first high personage to receive help was **Inayatullah** who was flown with his family from Kabul to Peshawar two days after having Kingship thrust upon him. This flight was open to no possible objection as it was made at the request of both contesting parties. Inayatullah was pushed on to Quetta *en route* for Kandahar as fast as he could be induced to go. On 18th May 1929 he wished to re-enter India in order to pass from Kandahar to the Eastern Province. This request was refused on the ground that it would involve a breach of the Government of India's declared policy of strict neutrality. Five days later he arrived at Chaman in flight along with Amanullah, in whose company he was sent to Bombay. He made repeated requests to be granted either asylum or refuge, or both, in British India, all of which were refused. He finally went to Persia, that country having agreed only with reluctance to receive him.

Amanullah arrived at Chaman on 23rd May 1929, utterly broken in spirit and intending never to return to Afghanistan. He announced that he wished to take refuge in Europe. The Government of India on hearing of his intention made it clear to him that they would do all in their power to arrange for his comfortable and expeditious transit through India, but could extend no further hospitality to him. A Political officer was deputed to attend on him, and a special train took him to Bombay, whence, after a month's delay he sailed for Europe. He was treated as a guest of the Government of India throughout his stay in India, and on the boat as far as Europe.

An account of his stay in and transit through India is given in letter⁶ from Major E. T. R. Wickham, Officer on Special Duty, No. 130, dated Quetta the 17th July 1929 and of his conduct on board ship and the ungracious treatment he received in Egypt, in letter⁷ from Major W. A. K. Fraser, Officer on Special Duty, dated London the 20th July 1929.

On arrival in Europe he took refuge in Italy. His first departure from there was on a visit to Turkey in February 1930. This only lasted a few days and the Turkish Government made it clear to him that they would allow no sort of political intrigue.⁸

¹ Telegram from Minister, Kabul, to F. O., London, No. 261, dated 1st January 1929 (A. S. XXVI, 313).

² Telegram to S. of S for India, London, No. 18-S, dated 2nd January 1929 (A. S. XXVI, 326).

³ Letter from N.-W. F., No. 1506-P. S., dated 15th June 1929 (A. S. XXVII, 966).

⁴ Telegram from Minister, Kabul, to F. O., London, No. 218, dated 16th February 1929 (A. S. XXVII, 294).

⁵ Telegram to Baln., No. 1750-S, dated 25th May 1929 (A. S. XXVII 809).

⁶ A. S. XXVIII, 78.

⁷ A. S. XXVIII, 191.

⁸ A. S. XXX, 287.

Nadir Khan and his brothers, who were in Europe when the rebellion broke out were allowed passage through India to Afghanistan on the principle that refusal to grant such passage to returning Afghan subjects would have been a breach of neutrality.¹ Such refusal would certainly have acted strongly in Habibullah's favour. Having arrived in Afghanistan and started to take part in Afghan affairs, Nadir Khan became one of the contesting parties. From that time on his requests for help were for help to his party and not to himself as an individual, and had accordingly to be refused. He twice asked for loans and on another occasion announced with apologies his intention of collecting recruits from British tribes. On a third occasion he asked for unhindered transit through the protected area of tribesmen who were coming to help him. On each occasion he was met with a polite refusal. Towards the end, when his fortunes were at their lowest ebb he approached the Government of India to provide a refuge for himself and to arrange with Habibullah for the safety of his family. Towards this request, which concerned him as an individual, the Government were more favourably inclined. Fortunately for Afghanistan the situation for which Nadir Khan was preparing did not arise.

Nadir Khan's brother **Hashim Khan** caused considerable embarrassment to the Government of India by suddenly arriving back in Parachinar on 17th September 1929 after his most recent defeat in Khost and asking to be allowed to pass through India to Afghan Mohmand Territory; if this was not to be allowed he wanted to return to Afghanistan *via* Chaman or some other route; in either case his intention was to take up the struggle again. The Government of India felt that to remove him against his will down country would cause serious trouble on the Frontier, would have damaging repercussions in India and would permanently embitter Nadir Khan; on the other hand to allow him to traverse British Territory for the purpose of taking up the struggle elsewhere would evoke vigorous protests from the Kabul Government and expose them to Russian accusations of un-neutrality.² They decided that the safest course was to order him to go straight back into Afghanistan from the Kurram without passing through any other part of India. He did not obey this order and the Government of India, feeling they could stretch their neutrality rules in his favour no longer, had him sent as a refugee to Quetta where he was to be detained pending an outward journey to Persia or some other destination. His detention in Quetta caused, as had indeed been anticipated, considerable indignation among the Durrani and Achakzai tribesmen of Baluchistan.³ Before it became necessary to dispose of their agitation, Nadir Khan was established in Kabul, applied officially for his brother to be given a visa, and "His Highness" Hashim Khan was sent off in all honour to join him.

811. Attitude towards Afghan Representatives and property abroad. In London.—By the decision of His Majesty's Secretary of State for Foreign Affairs⁴ the Afghan Legation in London was allowed to "continue to be treated as an official diplomatic mission," at least for the time being. This was in spite of the fact that it consisted at the time of only one man.

In India.—The Consul-General, Consuls and Afghan officials of a like nature were similarly treated in India. The Government of India's statement of its attitude was as follows⁵ :—

"Despite the absence of a recognised Afghan Government, ex-Consular-Officers, Trade Agents and the like have been permitted as a matter of courtesy to remain in India and discharge their normal functions, on the explicit understanding that if they engage in illegitimate activities beyond the scope of those functions and in particular in intrigue with the tribes under British control they will be requested to remove themselves to Afghanistan."

¹ Telegram to S. of S. for India, London, No. 355-S, dated the 26th January 1929 (A. S. XXVI, 696).

² Tel. to S. of S. for India, London, No. 2835-S., dated the 21st September 1929 (A. S. XXVIII, 241).

³ Letter from Bal., No. 1698-S., dated the 9th October, 1929 (A. S. XXIX, 61).

⁴ A. S. XXVII, 532.

⁵ Tel. to I. O., London, No. 1316-S/1317-S., dated the 7th April 1929 (A. S. XXVII, 676).

812. New Appointments.—Habibullah sent a man named Imamuddin to act as his Trade Agent in Peshawar, and asked for the previous Trade Agent's house and money to be handed over to him. The Government of India would not give him any official recognition beyond saying that if he pressed for it he might be told¹ "that his intimation of his appointment has been noted but that he cannot of course be recognised by the British authorities as having any official or special privileged position any more than the Afghan Trade Agent was when there was a Central Government in Afghanistan duly recognised by the British Government."

In August 1929 Nadir Khan wanted to send a representative to Simla for an "exchange of views regarding Afghan affairs". This was not allowed, but his representative was allowed to visit Parachinar and give Nadir Khan's views to the Political Agent for transmission to the Government of India. The Government of India's replies were sent through the same channel.

At about the same time Habibullah had ideas of sending a mission to Europe. The Government of India did not approve of this, but as Habibullah's position began to look firmer, the Secretary of State for India was more inclined to think that the mission should be allowed to proceed.² The members would have been received in a private and non-diplomatic capacity. Habibullah's fall came before negotiations had gone any further.

813. Protection of Afghan Government Property.—Requests for action with regard to Afghan Government property came from all parties, and were treated on their merits. Arms, as already mentioned, were in every case detained. In other instances such as a request by Habibullah for the prohibition of the withdrawal of Afghan Government money from banks in which it was deposited, and a request by Amanullah for speedy decision of his personal claim to certain property in Bombay, the ordinary processes of the law were considered to provide adequate remedy.

814. Recognition and otherwise of contestants for throne.—The announcement of Inayatullah's accession to the throne was made by the Afghan Consul General to the Government of India and was received with a formal acknowledgment.

Habibullah caused a similar announcement to be made personally by the Assistant Secretary for Foreign Affairs to the British Minister on 23rd January 1929. No official acknowledgment was ever made either by the British Foreign Office or by the Government of India. Hints of his desire for recognition were made later by Habibullah but were never favourably received.

On January 29th Amanullah announced that he had re-ascended the throne with his capital in Kandahar.³ In view of their official acceptance of the news of his previous abdication, and of the continued state of insecurity in Afghanistan, the British Government felt that to act on this announcement would involve a departure from their policy of neutrality.

King Nadir Shah announced his accession on 16th October 1929 in a telegram to the British Foreign Office. He did not explicitly ask for recognition, but the Government of India pressed on the Foreign Office, which seemed inclined to delay matters, their urgent wish that it should be speedily accorded, and a telegram of recognition was accordingly sent from London on 14th November.

815. Treatment of Nadir Khan.—Their attitude towards Nadir Khan was perhaps the most difficult of all the questions which the Government of India had to solve in connection with the rebellion. He was the greatest potential danger which Habibullah had to face. He was outside Afghanistan, and intended to return through India. Habibullah was seated on the throne in Kabul, and nothing would have pleased him better than the refusal of transit facilities to Nadir. On the other hand the Government of India knew that nothing offered a speedier hope of the restoration of settled Government in Afghanistan than Nadir's return. There was therefore a strong temptation

¹ Memo. to N.-W. F. P., No. D. 3304-F/29, dated the 15th July 1929 (A. S. XXVIII, 43).

² Tel. from S. of S. for India, London, No. 2630, dated the 23rd August 1929 (A. S. XXVIII, 140-A).

³ Tel. from F. O., London, to Minister, Kabul, No. 20, dated the 29th January 1929 (A. S. XXVI 751).

not only to allow him transport facilities, but actually to give him support. Open support it would have been impossible to give, but a little less vigilance over the transit of arms, an unostentatious loan to an agent, a few hints to British tribesmen—any of these things might have helped Nadir Khan more quickly to the throne. On the other hand they might not. On the whole there can be no doubt that the strictest practicable adherence to the policy of non-interference was the best course to follow. That Nadir Khan himself appreciated the policy and respected the British for their adherence to it, afterwards became clear. It is certain also that the Russians appreciated it, and that any deviation from it would have been the signal for intensive counter-interference on their part.

On arrival in Bombay Nadir Khan was received with courtesy and informed "frankly but with all friendliness that the Government of India much regret that their policy of non-intervention in Afghan affairs, circumstances of the time, and to some extent Nadir Khan's own interests unfortunately preclude the facilities and courtesies which Government of India would otherwise have been pleased to show to so distinguished a visitor. They trust that he will appreciate reasons why special facilities are not being offered and the motives underlying their desire that he should refrain from any sort of political activity while in India and proceed as expeditiously as possible to Afghanistan."¹

He informed the official who received him that he was most anxious to know what course the British Government would like events in Afghanistan to take; he personally was prepared to support with all his weight and influence any line which the Government favoured; he was only anxious to see Afghanistan strong and peaceful and united. The Government of India replied² that their desire was identical with his own, namely, the early restoration of an Afghanistan peaceful, united, independent, strong and friendly. They felt sure he would realise that this consummation would be imperilled, not advanced, if they allowed their sympathies with Afghanistan in its present misfortunes to deflect them from the path of strict non-intervention even to the extent of tendering counsel. He might however rest assured that when peace was again restored to a united Afghanistan proofs of their friendship would not be lacking.

His attitude both in Bombay and in Peshawar was perfectly correct, though he seemed at one time disposed to stay rather longer in Peshawar than Government considered proper. Before leaving he had a long interview with Sir Francis Humphrys,³ which he closed with the remark that many doubts which had been working in his mind had been laid to rest, and that Great Britain was the only country which had shown towards Afghanistan in her distress the true spirit of friendship.

He crossed the Kurram border into Afghanistan on 8th March 1929. Before doing so he had a long and friendly interview with the Political Agent, Mr. Maconachie, who was shortly afterwards to be accredited to him as British Minister in Kabul. This interview⁴ contains much that throws light on Nadir Khan's later attitude towards the British, and in particular on his relations with Sir Richard Maconachie as Minister.

Nadir Khan's next communication with British Officials was his request for help in the form of a loan. This was broached by M. A. Hakim, described as Nadir's Trade Agent in Peshawar, to the Intelligence Bureau, Peshawar. It was politely refused by the Government of India.⁵ Nadir sent Ahmed Ali to see Mr. Maconachie with a similar request on 29th June 1929, and was met with the same reply.⁶

On 9th August Nadir Khan expressed his intention of sending a representative to the Foreign Office, Simla "for an exchange of views regarding

¹ Tel. to Bombay, No. 822-S., dated the 21st February 1929 (A. S. XXVII, 387).

² Tel. to Bombay, No. 846-S., dated the 23rd February 1929 (A. S. XXVII, 418).

³ Tel. from Min., Kabul, to F. O., London, No. 266, dated the 1st March 1929 (A. S. XXVII, 485).

⁴ A. S. XXVII, 595 (219-C Reproduced as Appendix to this Chapter).

⁵ Tel. to N.-W. F. P., No. 2029-S., dated the 22nd June 1929 (A. S. XXVII, 992).

⁶ Tel. to N.-W. F. P., No. 2107-S., dated 1st July 1929 (A. S. XXVIII, 4).

Afghan affairs.”¹ As Habibullah had shown at the same time an intention to send a mission to London and other capitals, both suggestions were turned down. Nadir was allowed to send his views² to the Political Agent for transmission to the Government of India. They included further requests for help and an announcement that he was reluctantly allowing Wazirs and Mahsuds from the British side of the line to join his standard. This announcement was received with consternation by the Government of India, who immediately replied that they could in no circumstances countenance his collecting recruits from their side of the Durand Line.³ Nadir seemed to see in this attitude the disappearance of his last hope of success. He made a long reply,⁴ which was almost a frantic appeal for help, but the Government of India remained adamant. At this stage both Nadir and the Government of India were prepared for the absolute failure of his last throw. Correspondence was still passing between them on the subject of what should be done for Nadir Khan and his family and for Afghanistan generally if he withdrew from the struggle, when the tide suddenly turned and Nadir Khan became master of Kabul.

816. Abandonment of Policy of Aloofness.—On King Nadir Shah's establishment in Kabul the Indian Government was able thankfully to abandon the strait and narrow path of neutrality. The telegram announcing his accession was answered in warm terms by the British Foreign Office. Full recognition was accorded as soon as it became clear that Nadir was keeping the throne for himself.⁵ Permits to Afghan nationals to return to Afghanistan were granted as fast as Nadir cared to ask for them and restrictive action was taken against two Afghan subjects, Ghaus-ud-Din and Abdul Hakim, who had given him cause for offence. Ghaus-ud-Din had indulged in some very doubtful politics on the Afghan side of the Kurram border, and had been detected in treasonable correspondence with Nadir's enemies. Abdul Hakim and another were found to be plotting in Peshawar for a complete Shinwaris revolt against the new Government. Ghaus-ud-Din, S. Abdul Hakim and S. Amin Jan were all removed from the Frontier.⁶

The Government of India knew that Nadir would need money and were prepared to let him have a loan of seven lakhs if he would ask for it. They would not make an offer of it themselves and failed to manoeuvre Shah Wali into asking for it. No loan was therefore made until several months later.

817. Resumption of Diplomatic Relations.—After the withdrawal of the British Legation from Kabul occasional communication between the British Government and various contestants for the throne took place in diverse manners. The Afghan Minister in London made representations to the British Foreign Office on Amanullah's behalf and Habibullah sent telegrams in the name of the Foreign Office, Kabul both to London and to Delhi. All messages received were treated on their merits, the validity of the channel of communication being only questioned when for other reasons it was convenient to do so.

Immediately after the establishment of King Nadir Shah on the throne, the Government of India began to press the Secretary of State for permission to send a representative to Kabul. Their first suggestion was to send a consul, and at the same time to ask the Afghan Government to send a representative to India to discuss the return of the Legation. The proposal to send a consul was turned down, as being unlikely either to satisfy the Afghans or to uphold British prestige. The suggestion of discussions in India was defeated by Nadir Shah's announcement that his brother would do all the discussing that was necessary in London.

818. Appointment of His Highness Shah Wali Khan as Afghan Minister to London and Sir Richard Maconachie as British Minister, Kabul.—On 7th November 1929 the Afghan Foreign Office asked the British Foreign Office

¹ Tel. to S. of S. for India, London, No. 2487-S, dated the 15th August 1929 (A. S. XXVIII, 122).

² A. S. XXVIII, 177.

³ Tel. to N.-W. F. P., No. 2693-S, dated the 7th September 1929 (A. S. XXVIII, 193).

⁴ Express letter from N.-W. F. P., No. 2433-PSN., dated the 18th September 1929 (A. S. XXVIII, 245).

⁵ Telegram from F. O., London, to F. O., Kabul, dated the 14th November 1929 (A. S. XXIX, 208-A).

⁶ A. S. XXX, 118 and 264.

if King Nadir Shah's brother, His Highness Shah Wali Khan would be acceptable to the British Government as Minister. The King's choice of his own brother was intended as a very special indication of his desire for friendly relations with the British. The Afghan Foreign Office was informed in reply that the appointment of Shah Wali Khan would be entirely agreeable to His Majesty¹. Shah Wali arrived in London in the middle of January 1930 and was received with a warmth and courtesy which surprised him.

Between Shah Wali's departure from Kabul and his arrival in London, the British Foreign Office proposed to the Afghan Government the name of Mr. (afterwards Sir Richard) Maconachie as the next Minister to Kabul. The Afghan Government replied accepting the proposal in warm terms and hoping that it would prove valuable in "strengthening the friendly relations of Great Britain and Afghanistan, lessening the period of its temporary suspension and re-establishment of the legations of both Governments, and would also produce facilitations in the official proceedings of, and admirable views and good opinions between, both Governments". It did.

Meanwhile the position of Afghan consuls and other officials was regularised. The Afghan Government notified to the Government of India the appointments of a Consul-General at Delhi, Consuls at Bombay and Karachi, Trade Agent at Peshawar, and Visa-Officers at Peshawar and Quetta, all new. The appointments were provisionally recognised by the Government of India.³

The new Afghan Minister in London besides being received personally by His Majesty King George V, a privilege which ill-health had caused His Majesty to withhold from others in a similar position, was early granted two personal interviews⁴ by Mr. Henderson, Secretary of State for Foreign Affairs. He also had several meetings with Sir Richard Maconachie before the latter's departure for Kabul.

Sir Richard Maconachie left England for Kabul on 17th February 1930. By the courtesy of the Royal Air Force, who placed a service machine at his disposal, he was able to have an interview with Sir Francis Humphrys at Baghdad on the way. He arrived in Kabul on 11th May 1930⁵ and presented his credentials to King Nadir Shah on 17th May 1930.⁶

The Russian Ambassador returned to Kabul on 5th December 1929. The Turkish Ambassador was already there and the Second Secretary of the Turkish Embassy had joined him two days earlier. The announcement of the name of the new Persian Ambassador was made immediately after the New Year.

819. Treaty Relations.—The British Government and the Government of India both had the question of treaty relationship under consideration. They wished to establish not only that the existing Treaty between the two nations was still in force, but that there would be no future difficulty about the continuance of certain facilities which each party had come to allow the other in modification of the Treaty. With this view the Secretary of State at his second interview with Shah Wali handed the latter an '*aide memoire*' suggesting an exchange of notes in the following terms⁷:—

"His Majesty's Government in United Kingdom acting on behalf of themselves and of Government of India regard Treaty as having full (and ?) valid effect between themselves and Government of Afghanistan provided that any facilities in matters of detail which were found necessary and allowed in practice by either party in days of King Amanullah Khan shall continue in force."

Shah Wali did not feel able to accept this proviso without previous reference to Kabul, though he expressed not the slightest doubt that Sir

¹ Telegram from F. O., London, to F. O., Kabul, dated 14th November 1929 (A. S. XXIX, 204).

² A. S. XXXI, 63 and 77.

³ (A. S. XXX, 30, 31, 32 and 208).

⁴ (A. S. XXX, S. Nos. 186 and 202).

⁵ (A. S. XXXI, 206).

⁶ (A. S. XXXI, 274).

⁷ Tel. from I. O., London, Nos. 494 and 495, dated the 8th February 1930 (A. S. XXX, 203).

Richard Maconachie would receive at least all the facilities accorded to Sir Francis Humphrys. The Government of India then suggested a modification in the words of the proviso, and in order to impress the seriousness of their intentions on the Afghan Government, instructed Sir Richard Maconachie to send a wire 'en clair' from Delhi making it appear that he was delaying his departure for Kabul until the matter was settled.¹

The matter was still not settled when the disturbances of 1930 broke out on the Frontier, and it became obvious that the sooner there was a British representative in Kabul the better it would be for both countries. The British Government accordingly contented itself with an exchange of notes re-affirming² the validity of the Anglo-Afghan Treaty of 1921 and the Trade Convention of 1922 and a verbal assurance that facilities would be granted. This verbal assurance was put into writing by Shah Wali Khan, but not till nearly a month later. Immediately after the exchange of notes, which took place on 6th May, orders were sent to the new British Minister to proceed to Kabul.

The continuance of facilities was afterwards confirmed in an interchange of notes in Kabul between the British Minister³ and the Afghan Foreign Minister.

E. RE-ACTIONS OF THE REBELLION IN INDIA.

820. **Internal.**—Reactions of the Afghan rebellion in British India were small, and confined mainly to the Frontier Province. The general feeling at the beginning was against Amanullah on account of his apparent determination to introduce everything Western. With the sudden establishment of a robber chief on the throne, there was an outburst of pro-Amanullah feeling in the Frontier and among Muslims generally throughout the North of India.

Government of India's comments on this pro-Amanullah wave of feeling were as follows⁴ :—

“ In India pro-Amanullah wave has been due to sympathy with an Asiatic sovereign who first wresting independence from the British and then compelling the attentions of European capitals, and to the hopes which political India has been building on his demonstrating to Swaraj the possibility of swift attainment of progressive and efficient administration. Amongst our tribes pro-Amanullah wave has been due chiefly to revulsion of feeling against the possibility of a non-Pathan Amir. To begin with, pro-Amanullah agitation threatened to take dangerously anti-British course. It is now assuming comparatively innocuous form, thanks to our ability to point to absolute non-intervention, to sedative pronouncements at home and in India, and to the absence of any definite obstruction on our part on which anti-British propaganda might seize.”

The Khilafatists made ostentatious preparations for the despatch of a medical mission, but this was discouraged by the Government of India. A later medical mission, less obviously anti-British, was given permission to cross the Frontier in April 1930 on condition that it was composed only of medically qualified persons and would undertake to refrain from political activities.⁵

Apart from this demonstration, and a certain amount of hooliganism against Habibullah's Trade Agent in Peshawar⁶ the strict adherence of the Government to its own declared policy was enough to prevent any serious reactions in India. What feeling there was, died down almost completely after Amanullah's final flight from Afghanistan and disappearance to Europe.

¹ (A. S. XXX, 320-322).

² (A. S. XXXII, 209).

³ A. S. XXXVI, 105.

⁴ Telegram to I. O., London, No. 732-S, dated 14th February 1929 (A. S. XXVII, 264).

⁵ A. S. XXVII, 726.

⁶ A. S. XXVIII, 295.

The anti-British sections of the Press, needless to say, blamed Government's policy for everything that happened.

821. Tribal Territory.—The general feeling in Tribal Territory was first a vindictive feeling of satisfaction that Amanullah had only got what he deserved, next a feeling of shock and indignation that a non-Pathan Amir should have climbed on to the throne at Kabul, and finally a feeling of relief that he too had met his deserts and that a strong man who had never shown himself afraid of the British was on the throne in his place. The tribes did not feel any moral or religious call to take part in the strife and only showed signs of wanting to do so when there seemed a direct chance of making something for themselves. This last consideration applied to tribes on both sides of the Durand Line and the need for money with which to buy the allegiance even of Afghan tribesman was the reason for Nadir Khan's many appeals to the Government of India for help.

822. Malakand Agency.—His Highness the Mehtar's idea of regaining territory which Chitral had lost in 1895 has already been mentioned.

823. Mohmands.—The Mohmands on the British side of the Line took no part in Afghan affairs throughout the disturbances.

824. The Khyber Agency.—King Amanullah attempted without success to recruit 3,000 Afridis for his support at the beginning of the outbreak¹.

In August 1929 letters from Nadir Khan asking for help were read out at the weekly jirga at Bagh, Maidan². Said Almar, who had been to visit Nadir Khan at Ali Khel made a speech saying that Nadir's success was certain and that it was the religious duty of the Afridis to join him in his victorious campaign. A pensioned Risaldar who replied to Said Almar said that the matter was not one concerning Islam but was only a question of the payment of money. The jirga broke up indecisively.

825. The Orakzais.—In September 1929 Nadir Khan sent the Political Agent Kurram a letter saying that the Orakzais had decided to come to his aid, and asking for their free passage through Kurram. The request was refused³.

826. The Kurram Valley.—The Political Agent took security from the leading Maliks of the Mangal tribe against participation, and thus prevented any mass movement to Nadir Khan's aid. A few individuals went, whom it would have been impossible to stop⁴. No Turis at all joined Nadir Khan.

The Turis' raid into Afghan Territory and the truce effected between them and the Jajis have already been mentioned.

Ghaus-ud-Din and other persons professing to speak on behalf of the Jaji tribe maintained a friendly, almost ingratiating, attitude towards the Political Agent throughout the period of the rebellion. They even indicated at one stage that they wanted to hand over Khost to the British Government, apparently out of fear of Russian domination.⁵ They were given polite replies to their letters until it began to appear that they were making capital out of the mere fact of being in correspondence with a British official, after which a snub was administered⁶. Ghaus-ud-Din later proved himself a most unfaithful ally to Nadir and having taken refuge in Parachinar was removed to the Central Provinces, from whence he was later transferred to Burma.

827. Waziristan.—Throughout the history of border relations, the Afghan Government had never ceased to have a finger in the Waziristan pie. Early in the outbreak Sadde Khan, a leading anti-British Mahsud was reported to have arrived from Afghanistan with plenty of money and to be raising a large lashkar for Afghanistan. The Resident in Waziristan and the Chief Commissioner, North-West Frontier Province, were of opinion that as any attempt to check the movement must fail owing to the

¹ A. S. XXVI, 494.

² Memo. from N.-W. F. P., No. 2207-P. S. N./37/24-P., dated 24th August 1929 (A. S. XXVIII, 160).

³ Telegram to N.-W. F. P., No. 2685-S., dated 24th September 1929 (A. S. XXVIII, 263).

⁴ A. S. XXVIII, 59.

⁵ A. S. XXVI, 265 and XXVII, 32.

⁶ A. S. XXVIII, 127.

impossibility of enforcing the orders, it was best to take no action. The Government of India, however insisted that however difficult the task might be, every effort must be made to restrain the tribes. The wording of their instructions was as follows :—

“ Government of India recognise difficulties of restraining tribes effectively from taking part in Afghan Civil War and great complexity of the tribal problem. It is clearly of the utmost importance internationally that we should maintain an appearance of non-interference ourselves, even if it proves actually impossible to prevent the tribes from so doing. Hence you should make it clear that Government would regard tribal intervention in the civil war with disfavour. You should do all you can to induce the elders to restrain hot-heads from embroiling the tribes in what is Afghanistan's affair alone. Possibly the present complexity of the situation with the many competitors for power may cause the elders to pause. It is most important to avoid as far as possible the danger you emphasise of our action being interpreted as anti-Amanullah. Hence you should at first remind jirgas impressively of what you said to them in the beginning against taking sides with the rebels against Amanullah and might show that you understand their natural feelings at the misfortunes of the Royal family. Your words should be carefully chosen in view of the fact that it will be almost certainly desirable to give full publicity to what you say.”¹

The instructions contained in this telegram were followed to the best of their ability by all Frontier officers, with the result that “out of 400,000 fighting men only a handful here and a handful there succumbed to the temptations held out to them.”²

A batch of Mahsuds who went off to help Amanullah in January 1929 returned thoroughly disgusted, having found that Amanullah had already fled and that the whole country was in disorder.³

From August 1929 onwards Nadir Khan made determined efforts to draw Wazirs and Mahsuds to his standard sending letters to leading Maliks of both tribes by name.⁴ He was eventually joined by perhaps as many as 2,000 men, a large number of whom were unarmed. As mentioned⁵ elsewhere this contingent proved of the greatest value to him and was prominent in the actual capture of Kabul.

The first batch which returned to the Tochi Agency consisted of about three hundred Dauris and Wazirs.⁶ They stated that six hundred more Wazirs, from both sides of the line, had stayed behind in Kabul to be enlisted in Nadir Khan's army. They brought no rewards with them, but only certificates entitling them to reward at the end of the cold weather. They were generally dissatisfied and a feeling of resentment against Nadir Khan seemed to be growing throughout Waziristan.

Another batch which returned on 17th November with plenty of loot were in much better spirits.⁷

828. Baluchistan.—There were no reactions among the tribes of British Baluchistan, but Khair-o-Jan, Popalzai Durrani, Afghan subject and the tribes on whose behalf he spoke, showed a desire to argue with the local authorities against the detention of Hashim Khan.

¹Telegram to N.-W. F. P., No. 324-S., dated the 24th January 1929 (A. S. XXVI, 665).

²Tel. to S. of S. for India, London, No. 3045-S., dated the 8th October 1929 (A. S. XXIX, 38).

³Memo. from N.-W. F. P., No. 253-P. C., dated the 5th February 1929 (A. S. XXVII, 92).

⁴Memo. from N.-W. F. P., No. 2523-P.S.N./739, dated the 31st September 1929 (A. S. XXVIII, 260).

⁵Memo. from N.-W. F. P., No. 2788-P. C., dated the 24th October 1929 (A. S. XXIX, 121).

⁶Memo. from N.-W. F. P., No. 3012/37/24-P. C., dated the 18th November 1929. (A. S. XXIX, 224).

⁷Memo. from N.-W. F. P., No. 3127-37/24-XXII-P. C., dated the 27th November 1929 (A. S. XXIX, 252).

F. REACTIONS IN AND ATTITUDE OF OTHER COUNTRIES.

829. **Russia.**—At the outbreak of the rebellion Russia, or at any rate her representative in Kabul, genuinely believed that Great Britain had instigated the outbreak.¹ Russians carried on violent propaganda against Great Britain's alleged part both in their own newspapers² and openly in Kabul. Russian troops in the Central Asiatic military district were reported³ to have been placed on a war footing as a precautionary measure, and the Russo-Afghan Frontier had been re-inforced. A report received from the British War Office was to the effect that the Russian authorities had decided⁴ :—

- “(1) To offer Afghanistan, if the situation became much worse, the assistance of volunteers from the national republics of Central Asia.
- (2) To offer, if necessary, the King refuge in Soviet Territory.
- (3) To instruct the Soviet Government at once to confer with Turkish and Persian Governments, showing that the overthrow of the King would be another of Britain's hostile acts and that his overthrow would imperil the interests of both Persia and Turkey.
- (4) The O. C. Central Asian Military District to obtain touch and discuss the situation with the Turkish Military Mission in Afghanistan.”

The Russian Ambassador's advice to Amanullah had been to fight things out and impose his reforms by force. British suspicions were to the effect that this advice was deliberately perverse, that it would result in disaster for Amanullah and that the Russians then contemplated re-establishing him as a puppet in their hands.

Great Britain at one time contemplated the possibility of giving Russia some kind of warning of “hands off” as far as the supply of war material or troops was concerned, but the idea was dropped owing to the difficulties of enforcing the warning if it were disregarded.⁵ It was felt that a strict and obvious non-interference on the British side gave the surest hope that Russia would hold aloof.

A party of eight Russians including a so-called representative of the Moscow Foreign Office arrived at Kandahar early in February as guests of King Amanullah. Although the Government of India had at first been alarmed at the prospect of the establishment of a Russian representative at Kandahar,⁶ they did not think it worth while to make any protest.⁷

The Russian nation in general was extremely unpopular in Afghanistan throughout the rebellion, partly owing to their easily discerned pro-Amanullah leanings and partly owing to their association with the aeroplanes which bombed Afghan villages on Amanullah's behalf. If they actively interfered anywhere, it was in support of Ghulam Nabi in the North, though their denial of this was accepted by Habibullah's Government and published in a Kabul newspaper.⁸

The Russians carried out evacuation of their own and other nationals by air in much the same way as the British. They never entirely closed down their Embassy at Kabul and the Russian Ambassador was one of the first to return on the accession of King Nadir Shah.

¹ A. S. XXVI, 40 and XXVII, 57.

² A. S. XXVI, 210.

³ A. S. XXVI, 289.

⁴ Tel. to Min., Kabul, No. 9-K., dated the 2nd January 1929 (A. S. XXVI, 327).

⁵ Telegram to I. O., London No. 285-S., dated the 21st January 1929 (A. S. XXVI, 618).

⁶ Telegram to I. O., London, No. 672-S., dated the 11th February 1929 (A. S. XXVII, 204).

⁷ Telegram from Min., Kabul, to F. O., London, No. 219, dated the 16th February 1929 (A. S. XXVII, 285).

⁸ Telegram to Oriental Attaché, Peshawar, No. 1922-S., dated the 10th June 1929 (A. S. XXVII, 914).

830. Turkey.—Amanullah's fall came as great shock to the authorities in Turkey. There, as in most other countries, events in Afghanistan were attributed to Great Britain's malign influence. The Turkish attitude was summarised by His Majesty's Ambassador at Constantinople as follows¹ :—

“The fact is that Amanullah's deposition is the first, and a very public slap in the face for ‘occidentalising’ Turkey. Every Turk knows that Amanullah drew his inspiration from the Ghazi, who can do no wrong, and so only some outside malevolent agency could have turned the Afghan people against real progress and enlightenment. Not Turkey's friend Russia. Therefore it could only be the everlasting imperialistic British, or more directly in this case Indian Government. The Turkish press has put its money on Amanullah and his chances of recovering his throne, and for this reason vilifies and ascribes to outside agency all the factors that make that return difficult and the obvious outside agency, if one there has to be, is British policy.”

The Turkish Government decided not to withdraw its Ambassador from Afghanistan during the rebellion,² and he was in close touch with Nadir Khan immediately after the latter's accession.³ At the same time Turkey was a little doubtful about the extent to which she would be prepared to help Afghanistan in future.

831. Persia.—The Persian authorities had already conceived a dislike of Amanullah before the rebellion broke out, and were secretly rather pleased at his downfall.⁴ The only re-action they allowed themselves was an excess of politeness to Great Britain, including an offer to look after the interests of British subjects in Herat, where Great Britain had no representative.⁵

They complained bitterly⁶ of raids by Afghan subjects into Persian Territory for which they could get no redress.

They were delighted with the news of Nadir Khan's success,⁷ and lost no time in appointing an Ambassador⁸ though they had intended only a year ago to maintain only the coldest relations with Afghanistan for some time to come.

¹ Letter from Ambassador, Constantinople, to F. O., London, No. 46, dated 30th January 1929 (A. S. XXVII, 508).

² Letter from British Ambassador, Angora, to F. O., London No. 151 (18/31/29), dated 4th April 1929 (A. S. XXVII, 765).

³ Letter from British Embassy, Angora, to F. O., London, No. 443 (101-9/29), dated 3rd November 1929 (A. S. XXIX, 292).

⁴ Telegram from Minister, Tehran, to F. O., London, No. 110, dated 6th March 1929 (A. S. XXVII, 515).

⁵ (A. S. XXVII, 666, 669).

⁶ Memo. from British Legation, Tehran, No. 107, dated 27th April 1929 (A. S. XXVII, 779).

⁷ Despatch from Minister, Tehran, No. 264, dated 2nd November 1929 (A. S. XXIX, 200).

⁸ (A. S. XXIX, 187).

APPENDIX TO CHAPTER II.

NOTE OF REMARKS MADE BY S. NADIR KHAN, S. SHAH WALI KHAN AND S. SHAH MAHMUD, DURING THEIR VISIT TO KURRAM, MARCH 6TH TO 8TH, 1929¹.

On March 7th after general conversation and reminiscences of our previous relations at Kabul, S. Nadir Khan said that he wished to tell me his programme, and asked me to give him my opinion of it as a personal friend. It was essential that the present discord in Kabul, and the Southern and Eastern Provinces, should cease at once and that the inhabitants of these areas should meet amicably and appoint an arbitrator ('salis') to examine the causes of the present unrest and arrange matters for the future, including the succession to the throne. The imminent danger at present was that Amanullah Khan, while consolidating his position in the South-West and North would fall more or less into the hands of the Russians and then finding himself unable to regain control over Kabul and the Southern and Eastern Provinces, attempt as he had in 1919, to divert the opposition of these tribes from himself by proclaiming 'jihad' against India. In such a fatal scheme he would be encouraged for their own ends by the Russians and it could only be defeated if Kabul and Southern and Eastern Provinces were united under an 'arbitrator' who could control them and prevent them from being misled to their own ruin. He asked me my opinion of this scheme. I said that of course I had no authority to speak officially regarding such matters. He replied that he quite understood this but was only talking to me as a former friend who had always treated him very frankly. I said that the weak point in it seemed to me to be that such disinterested arbitrator might be distrusted by the tribes who might suspect him of bringing them under control, merely as a preliminary to handing them over to some body else. This suspicion had, I understand, been incurred by S. Ali Ahmed Jan and seemed to have been one of the reasons for his downfall. He remarked that he agreed with me in regard to Ali Ahmad Jan and that the danger which I mentioned was a real one. He then asked what impressions I had gathered as to the probable attitude of the Southern and Eastern Provinces in regard to himself. I said that the tribesmen to whom I had spoken had given me to understand that these Provinces would be generally ready to follow his lead and even to accept him as Amir, but considered him to be ill, tired and unwilling to make any claim to the throne. He said that he had been very ill indeed but was now much better, and that although he had originally had no idea of claiming the throne for himself, he might accept it if he were compelled ('*agar majbur shavam*'). He referred again to the Russian menace and said that although he had little inside information, he understood that so far the Russians had given Amanullah Khan no help openly (S. Shah Wali interjected—they have given him aeroplanes), but he had heard that money was being supplied from Russian sources through private persons and merchants in such a way as to conceal the real origin of these payments. (S. Nadir Khan subsequently told the Assistant Political Officer that in his opinion it was most unlikely that Russia would intervene openly, as her internal economic and political difficulties would prevent her doing so, even if she wished). It was inconceivable that the 'Bacha Saqao' would remain in possession of Kabul, and he thought it unlikely that the Southern and Eastern Provinces would accept Amanullah Khan again, especially so long as the latter was surrounded with his present advisors, Mahmud Tarzi, Ghulam Sadiq, Abdul Aziz, etc., of whom he spoke with considerable bitterness as having been absolutely blind to the inevitable consequences of the policy on which Amanullah Khan had embarked. I reminded S. Nadir Khan of the prophecy which he had made to me when I said good-bye to him in 1924, that before very long, we would both see Afghanistan in ruins as a result of Amanullah Khan's hasty reforms. He said that the present developments had long been

¹(A. S. XXVII, 595.)

inevitable but the catastrophe had been accelerated by the advice of Mustafa Kamal, who had urged Amanullah Khan to follow his own lead, especially in suppressing clerical opposition and in the education of women.

Mustafa Kamal had not realised that while such a policy might be successful in Turkey, which had for some time past been in close contact with western civilisation and where the ruler's position was strong and based on an efficient army, it could only be fatal in Afghanistan where none of these conditions existed.

S. Shah Wali Khan suddenly asked me why Amanullah Khan was so popular with the Khilafatists in India. I said that I did not know much about Khilafatists, but it seemed to me that any one became a hero of theirs who had given the British trouble at any time. S. Nadir Khan's own popularity with them was probably more apparent than real, and mainly due to the trouble he had given us at Thal in 1919. S. Nadir Khan was amused at this and turning to S. Shah Wali made a laughing allusion to my habit of plain speaking. He went on to say that his own aim was to restore peace in Afghanistan and friendly relations between his country and Great Britain, without whose help her economic progress was impossible.

At the same time such relations must be preserved with Russia as would give her no opportunity for interference. The independence of Afghanistan must certainly be maintained, but progress could only be very gradual.

He told me that S. Ali Ahmad Jan was now hoping to raise a force of Mohmands and Afridis from the British side of the line for an advance on Kabul and asked me what I thought of the plan. I enquired whether he wanted my opinion of it from the British or from the Afghan standpoint. He laughed and said that I had rubbed my opinion of such interference with our tribes into him years ago at Kabul, and he had not forgotten it, but he wanted to know what I thought of it from the Afghan point of view. I said that it seemed to me essential that the Afghans should work out their own salvation, without assistance or interference from outside. He said that this was his own view which he had expressed to Ali Ahmad Jan.

There was however another and a more serious objection to such a plan, which was that it would give the Russians an opening for intervention on the opposite frontier. In any case the scheme was not likely to be successful he said, as the Chief Commissioner had now put sentries on S. Ali Ahmad Jan's hotel to prevent visitors coming to see him.

(In conversation with Sirdars Nadir and Wali Khan I purposely avoided all mention of Russia.)

S. Nadir Khan particularly asked that none of his remarks to me should find their way into the papers ; and I assured him that they would not.

PERIOD III.

FROM THE ACCESSION OF NADIR SHAH, 15TH OCTOBER 1929, TO
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PERIOD III.

FROM THE ACCESSION OF NADIR SHAH, 15TH OCTOBER 1929,
TO HIS ASSASSINATION, 8TH NOVEMBER 1933.

CHAPTER III.

PRELIMINARY.

832. The first year of King Nadir Shah's reign was a period of consolidation and reconstruction, both at home and abroad. A survey of the march of events during that period, and of the influences affecting the problems which had to be met, is given in Sir Richard Maconachie's Annual Report on Afghanistan for 1930¹. A number of extracts from this are reproduced below.

"THE SITUATION IN OCTOBER 1929.

833. There have been few rulers of Afghanistan who have succeeded to the throne without a struggle, or maintained their hold upon it without difficulty, but perhaps none of them has found himself in a more precarious situation than King Nadir Shah on his capture of Kabul in October 1929.

The Eastern Province, after fighting with fine impartiality against both Amanullah Khan and Bacha-i-Saqao, had completed its record by expelling Nadir Shah's brother, Muhammad Hashim Khan.

The Southern Province had indeed provided the tribesmen who, with considerable assistance from tribes on the Indian side of the border, took Kabul. But these had first captured and looted the outlying military posts for themselves, and could only be dismissed after their final success by the grant of permission to plunder the Government buildings. This they did very thoroughly.

Kandahar had been recovered by a mixed force of Achakzais and other Duranis from the Bacha's garrison, which contained a large proportion of Ghilzais. There was thus every prospect of the old feud between Duranis and Ghilzais breaking out afresh. The Suleman Khel, an important section of the latter tribe, were known to be in sympathy with the Bacha's cause, while the colony of Wazirs at Shahjui was a constant source of irritation to the Tokhi Ghilzais. Ejection of these Wazirs might indeed placate the Tokhis and so make for peace in Kandahar, but would be likely to antagonise the Wazirs to whom King Nadir Shah mainly owed his success.

Herat had established a sort of semi-independence with a committee of management suspiciously resembling a Soviet, and the attitude of its Governor, Abdur Rahim a Koh-i-Damani, was an unknown quantity.

The Northern Provinces had been active in support of the Bacha, and in the Koh-i-Daman valley opening northwards out of the Kabul plain, although the Bacha himself and his leading officers were speedily captured, and executed by a thinly disguised piece of trickery² his adherents were strong well armed, and resentful of the treatment accorded to their leader. They were soon to prove a disturbing factor.

Throughout the country the advantages of anarchy seemed to have been better appreciated than its drawbacks, and the tribes were asking themselves why they should resign the freedom, which

¹ A. S. XXXVII, 248.

² But see para. 3 of Appendix to Ch. IV.

they had enjoyed for the past year, and submit again to a central authority which would inevitably demand payment of land revenue, customs duties, and bribes for its officials, and possibly the restoration of the arms looted from the Government posts and arsenals. And even if such submission had to be made the right of the 'Peshawar Sardars' to oust the Kabul branch of the Muhammadzai, which had held the throne for a century, might clearly be questioned. The latter had used the formula of 'the God given Kingdom' for so long that the claim which it implied had come to be generally accepted. It was true that the 'right divine of Kings to govern wrong' had been challenged in the individual case of Amanullah Khan, but this did not mean that the country was ready for a change of dynasty. The new King did indeed claim to have been elected by the people; but a snap vote of his victorious lashkar and the servile Kabulis afforded a slender basis for such a claim, and even if it were allowed, it involved the possibility of the people reconsidering their decision. 'Nadir Shah', as one tribesman remarked, 'is only a malik whom we have chosen ourselves.'

In the present state of Afghanistan it is probably better for the King to hold from God than from the people.

The Treasury was practically empty, and the army, which during the last few years of Amanullah Khan's reign had existed mainly on paper, had now ceased to exist at all.

There was consequently no means either of rewarding the tribesmen to whom the King owed his success, or of reducing them to order if their discontent found practical expression.

Another factor making for the continuance of anarchy and disunion was the racial character—Pathan *versus* non-Pathan—which the issue between Nadir Shah and the Bacha had assumed.

Of the Afghan Sardars, who had supplied the majority of the official class under Amanullah Khan, and were with very few exceptions notoriously corrupt, there was hardly one, outside his own family, whom King Nadir Shah could trust. The only hope of winning their support was to give them a chance of enriching themselves, as they had in Amanullah Khan's time, at the public expense, and this the state of the Treasury rendered impossible. Whether employed or idle, such persons could hardly fail to contrast the existing lack of openings for speculation with those which they had enjoyed under Amanullah Khan, and consequently to become increasingly disloyal to the new régime.

Trade had been almost destroyed by the revolution, and security of communications was one of the first requisites for its recovery. Success in this direction would produce customs receipts, from which half the state revenue is believed to be drawn, but without an army it was difficult to see how such success could be attained, and an army again required money.

In the circumstances of this vicious circle it seems surprising, not that so little progress has been made in the past year but that King Nadir Shah has, by the mixture of conciliation, bluff, and terrorism, which passes for Government in this country, been able even to retain his hold upon the throne.

THE POLICY OF THE NEW GOVERNMENT.

834. The lines on which King Nadir Shah proposed to tackle the problems which faced him were indicated in a declaration of policy, which was made a month after he entered Kabul, and contained the following points :—

- (1) The basis of the Administration to be Islamic (Hanafi) law.
- (2) The total prohibition of alcoholic liquor.

- (3) The establishment of a military school and arsenal for the manufacture of arms.
- (4) The continuance of King Amanullah's relations with foreign Powers.
- (5) The repair of telegraph and telephone lines.
- (6) The repair of roads.
- (7) Energetic measures for the recovery of arrears of revenue.
- (8) The development of commercial relations with foreign Powers.
- (9) A progressive educational policy.
- (10) The retention of the old Council of State, and the appointment of a Prime Minister, who was to form a Cabinet subject to the approval of the King.

The first two of these points were obviously intended to signalise the return to orthodoxy, and to dissociate the new régime from the frenzied modernism of Amanullah Khan. The conciliation of the mullahs was clearly a matter of urgent importance, since it was they, led by Sher Agha, the Hazrat of Shor Bazar, who had supplied the motive power behind the recent revolution. This object lesson had not been lost on Bacha-i-Saqqao, who, while proclaiming himself a 'Ghazi' fighting for the true faith, had denounced Nadir Shah as an infidel and wine-bibber. But it seems that the new King had a less obvious purpose in view than merely to steal the Bacha's thunder and vindicate his own orthodoxy.

He and the Prime Minister have more than once expressed their conviction that the best preventive against Bolshevist propaganda is a firmly established State religion, and have hinted that their public devotion to Islam is mainly actuated by their belief in its efficacy as a political disinfectant.

The ninth point, however, shows that orthodoxy is not intended to involve stagnation, and the spirited defence of the mullahs in a recent newspaper article, against the charge of being reactionaries, no doubt represents the wish, if not the actual thought of the King himself.

Although the remaining points need not be discussed in detail there is sufficient evidence to show that the whole proclamation was framed, not merely as a vote catching device, but as a practical indication of policy.

Action of some kind, however incomplete, has in fact been taken under each head.

A murderer has been handed over, under the Islamic principle of 'qisas' (retaliation) to the relatives of his victim, and publicly killed by them; an infringement of the second point resulted in the offender being flogged round the bazar by indignant mullahs; a military school has been opened; in spite of acute financial stringency the diplomatic missions in Europe have been retained; work has begun on roads, telegraphs and telephones; arrears of revenue were recovered until the danger of such a demand became too obvious to ignore; negotiations for various commercial enterprises have been opened with the usual type of concession hunter; the French and German schools are again flourishing, and enquiries have been made for the engagement of an English Professor; while the tenth point was actually expanded in practice and the election of the National Council by the Great Assembly of 1930, officially advertised as a bloodless revolution signalling the abolition of the old autocracy, represented by Amanullah Khan, in favour of a democratic monarchy of which Nadir Shah was the first incarnation. The policy of the new Government shows appreciation both of Amanullah

Khan's achievements and of his failures, and consists of a constant attempt to reconcile orthodoxy with progress on Western lines. Hazrat Sher Agha has a seat in the Cabinet, the girls sent by Amanullah Khan to Turkey for education have been recalled, and the veil has been restored; yet Ministers are allowed to attend dances, though not to appear in the flashlight photograph which might inform the public of their frivolity; the waiters at official dinners are in full evening dress, although serving nothing stronger than soda water; and, as the night wears on, minstrels sing frankly of pleasures which are forbidden to the faithful.

INTERNAL AFFAIRS.

The Administration.

835. The Cabinet consists of ten¹ Ministers in addition to the Prime Minister himself. They are selected by him with the approval of the King and hold the following portfolios :—

War, Foreign, Home Affairs, Justice, Revenue, Education, Commerce, Court, and Health. The tenth is President of the National Council.

The Great Assembly was instituted by Amanullah Khan and is composed of delegates from each province and tribe throughout the country. It meets at irregular intervals of a few years, and, in theory, decides important questions of constitution or policy referred to it by the King. It was summoned by King Nadir Shah in September last, mainly with the object of confirming the dethronement of Amanullah Khan and his own succession to the throne. On this occasion the delegates numbered 286, and from these were selected the 106 deputies, who are to sit permanently—or perhaps until the 'Great Assembly' is next convened—as a National Council. This Council is supposed to be consulted upon all important questions of policy, but seems in fact to be mainly useful as a stalking horse for the evasion of unwelcome demands by foreign Representatives, or the confirmation of such decisions of the Cabinet as require to be camouflaged as the expression of national sentiment.

In view of the close control exercised by the Prime Minister in the selection both of the delegates themselves and of the questions referred to them for opinion, the Council does not seem likely to achieve any real independence of action in the near future.

Owing to the paucity of officials who combine honesty with intelligence, the Administration is highly centralised in character.

The Prime Minister has stated that there are not more than five men in the whole country, whom he can trust. This is borne out by the principle followed in making appointments, of concentrating the substance of authority in the hands of the reliable few, and appeasing the unreliable many by the conferment of its semblance on their more important representatives.

The composition of the Cabinet is a good illustration of this principle. Muhammad Hashim Khan the Prime Minister, and Shah Mahmud Khan the Minister of War, are the King's brothers, Ahmad Shah the Minister of Court is his first cousin, and none of the remaining eight, except perhaps, Muhammad Gul Khan the Home Minister, has authority to decide even the simplest question without reference to the Prime Minister. Hazrat Sher Agha, whose loyalty is certainly distrusted by the King, is Minister

¹NOTE.—(i) This figure was later corrected to nine (*vide* Annual Report for 1931, para. 8, A. S. XLIII, 134).

(ii) The Cabinet has since been slightly increased in size (Annual Report for 1935, para. 3, A. S. LIX, 226).

of Justice, an appointment which simultaneously fulfils the first point in Nadir Shah's declaration of policy, and dissociates the incumbent from political affairs.

The inevitable consequences of this extreme centralisation are that the Prime Minister is greatly over-worked and the transaction of all business inordinately delayed.

The same principle is evident in the selection of diplomatic representatives abroad.

To the 'only countries which really matter', as the Prime Minister expressed it, Great Britain and Russia, the King sent his brothers Shah Wali Khan and Muhammad Aziz Khan, while a cousin Ahmed Ali Khan has been appointed to Paris. It appears on excellent authority that the remaining representatives Abdul Hussain at Rome, Abdul Hadi at Berlin, Hazrat Gul Agha at Cairo, Ghulam Nabi at Angora and Azizullah Khan at Tehran, were sent abroad mainly in order to keep them employed and out of the country.

Faced with this dearth of loyalty and ability, the King has raised to favour and confidence a rather deplorable clique of Indians, of whose attachment to himself he is assured, either from past experience of their usefulness or the fact that they have rendered themselves obnoxious to the Government of India and so have no one except himself to whom they can look for advancement. Of these Rustomji Dubash and M. A. Hakim are more or less respectable Indian traders, while Qurban Hussain Shah is wanted in India for forgery, and Allah Nawaz Khan is an *ex*-revolutionary.

This system of selection for appointments naturally causes considerable discontent; the reservation by the King of all real authority in the hands of his close relations leads to complaints of nepotism, while the favour shown to the Indian clique is denounced as leading to a "Hindustani Raj", i.e., "Indian Government", and is resented as contravening the axiom that all pickings in Afghanistan should go to Afghans.

To the lack of openings for speculation, jealousy of the wide authority wielded by the Prime Minister, which his habit of uncompromisingly plain speech does nothing to conciliate, and alleged favouritism on the King's part, may be ascribed much of the discontent which finds expression in Kabul.

In the provinces the task of reconstruction has been entrusted in most instances to a 'Rais-i-tanzimia', who is practically a Dictator with full Civil and Military powers, though under the general control of the Prime Minister. It is apparently intended that when order has been restored in any particular Province reversion should be made to the normal division of powers between the Civil Governor and the Military Commander, who will be subject, as the present Dictators are not, to the ordinary rules of procedure.

The efforts of these Dictators are directed towards reopening and securing communications, the reorganisation of local military forces, and when conditions allow, the collection of revenue, and the recovery of Government arms lost in the revolution.

The greatest success has been achieved by Muhammad Gul Khan, in the Eastern Province where, in spite of one serious insurrection, surprising progress seems to have been made.

In the Northern Provinces things have gone from bad to worse, until, in December 1930, it was found necessary to send the War Minister as Dictator for the whole area North of the Hindu Kush.

Herat has so far been left to its own doubtful devices and the Prime Minister has stated that in fact the Government has no information of what is happening there.

The Indian, Qurban Hussain Shah, was sent as Dictator to the Koh-i-Daman after the recent rebellion, but proved a failure, and the shortage of able officers was clearly shown by the appointment in his place of Muhammad Gul Khan, who was already Dictator of the Eastern Province, as well as Home Minister.

Hazrat Sher Agha, was appointed in July as a temporary Dictator to deal with the threat of trouble from the Suleman Khel and some other Ghilzai sections, and proceeded to Ghazni for this purpose. Although he seems to have met with some success, he was distrusted by the Government and replaced by the Indian Allah Nawaz Khan.

The Dictator in the Southern Province has made no progress, and this area remained out of official control till the close of the year.”¹

* * * * *

“PRINCIPAL EVENTS OF THE PERIOD.

Kabul.

836. Events in Kabul during the period under review have been of great importance ; for it has been in the capital itself that the new Government has been most seriously threatened, and has taken the most decisive measures to assert its authority.

These events fall naturally into the following categories :—

- (a) The Koh-i-Daman disturbances.
- (b) Action taken by the new Government against individual opponents.
- (c) Action taken by the new Government with a view to regularise its position, and to secure popular support.”²

THE KOH-I-DAMAN DISTURBANCES.

837. There were three separate outbreaks in the Koh-i-Daman Valley. The third and most serious occurred on July 20th. The Afghan Government realising the gravity of the danger “decided that no half measures would suffice.” They accordingly sent a “S. O. S.” call for assistance to the Pathan tribes, adding to the suggestion that the Pathan rule of Kabul was in danger from the “Tajiks”, a general permission to loot the rebel villages.

“The tribal contingents began to arrive on July 26, and by August 1, had decisively defeated the Koh-i-Damanis, driven them into the hills, and begun the systematic destruction of their villages. On August 4, twenty-one ring leaders of the rebellion were publicly executed in Kabul.

For the next fortnight the tribal levies were a more serious menace to Kabul than the rebels had been. Exaggerated stories of the loot obtainable had swollen their numbers to some twenty-five thousand, and it needed all the experience and tact of the King and his brothers to induce them to disperse peacefully.

The atrocities committed by both sides in these operations were no doubt inspired by the racial animosity between the Pathan and the non-Pathan sections of the population, which has already been noticed as a constant factor in the situation.

The ruthless destruction of the Koh-i-Daman villages seems calculated to perpetuate the feud.

The rising of July 1930 was important not merely because it resulted in the final removal, as it appears to be, of danger from the Koh-i-Daman.

¹ Annual Report for 1930, Paras. 1-17 (A. S. & XXVII, 248).

² *Ibid*, Para. 42.

The response made to the King's call was a useful advertisement of the real basis of his power, but the tribesmen's open defiance of restraint in Kabul showed what a dangerous expedient it was to invoke their aid, unless regular forces were available in sufficient strength to overawe them.

The urgent necessity of reorganising the army was also impressed on the Government by the complete failure of the troops to deal with a few hundred rebels. After the first disastrous engagements the troops were reported to have been employed only on the line of communications, and the tribesmen to have monopolised the fighting.

The collapse of the rising also enabled the Government to enforce disarmament of a particularly well armed section of the population, and the restoration of much of the treasure which had been carried away from Kabul during the Bacha's regime ¹.

ACTION AGAINST INDIVIDUAL OPPONENTS.

838. Great importance had been attached by the present Government to the check of "Bolshevik" propaganda. As used by Ministers in conversation, this term seems to cover both agitation in favour of Republic, and communist teaching.

The first shot in this campaign was fired by the arraignment of five persons on a charge of treason in connection with the first Koh-i-Daman rising of November 1929. They were found guilty and executed in December.

The next step was the trial for treason in February 1930 of Muhammad Wali, Foreign Minister and Regent for Amanullah, who had subsequently joined the Bacha. With him was tried General Mahmud Sami, on a charge of murder, though the real reason for the proceedings in this case appears to have been the accused's public support of the Bacha. In both cases sentence of death was passed, but in that of Muhammad Wali it was commuted to eight years imprisonment. Mahmud Sami was executed.

The Foreign Minister has explained in conversation that Muhammad Wali's real crime was that he was working with the support of the Russian Embassy to bring about a peaceful and gradual revolution in favour of a Republic. It was not part of his plan to overthrow Amanullah Khan by force; hence his inaction during the *ex-King's* European tour; but all the time he was working to effect changes in the constitution which would directly serve "Bolshevik" interests.

The Koh-i-Daman rising of July was made the occasion for taking further strong measures against this party. Abdur Rahman, the Mayor of Kabul, was arrested on a charge of being in communication with the rebels, and spreading false reports of their numbers. He was summarily tried, convicted and shot. The official notice justifying these proceedings suggests that the reason for them was to be found quite as much in his political views generally, as in his behaviour on the occasion of the July rebellion.

He was a born anarchist. During the reign of the late Amir Habibullah he was more than once suspended and sentenced to imprisonment, and even in the time of the *ex-Amir* Amanullah he had to be severely reprimanded for his mischievous conduct, revolutionary spirit, and virulent nature. He was an atheist.

Apart from the well advertised prosecution of the prominent "Republicans", Muhammad Wali and Abdur Rahman, the Government has taken action methodically though less openly against several persons who are known to have been in receipt of communist pay, the "Bolshevists" proper.

¹ Annual Report for 1930, Paras. 43 and 44 (A. S. XXXVII, 248).

Raja Mahendra Pratap who arrived at Kabul by Russian aeroplane in January 1930, apparently against the wishes of the Afghan Government, was soon after required to leave the country; Aziz "Hindi", under threat of execution, fled to India in April and, was there arrested and interned; and four Afghan officials, who disappeared during the past year, are credibly reported to have been unobtrusively "liquidated" for similar reasons.

The third group of the King's opponents are the "legitimists" or "pro-Amanullah party". The most important of these are the three brothers of the "Charkhi" family, Ghulam Nabi and Ghulam Jelani, who had been Ambassadors of Amanullah Khan, and Ghulam Siddiq his Foreign Minister. The first was sent as Ambassador to Angora to keep him contented and out of mischief; Ghulam Jelani was summoned to Kabul and has been kept here presumably as a sort of hostage; and Ghulam Siddiq has remained mostly at Berlin, unemployed. Ghulam Nabi has been a constant source of anxiety to the Government, and the visits of Amanullah Khan to Turkey gave them cause to fear that he might be colloquing with their Ambassador. In October last the latter laid aside all pretence of loyalty by writing a letter to the King, denouncing his election as fraudulent and calling upon him as a patriot to refer the question of the succession to a genuine plebiscite. In December he deserted his post and disappeared. Kabul gossip had long connected him with the disturbances in the Northern Province, and rumours now became prevalent that he was marching on Kabul. Baseless as these were, they show what view his own countrymen take of his character. The possibility that he might, as in 1929, obtain support from Russia for some military adventure has been mentioned even by the Prime Minister.

The Government apparently feel that they are not yet strong enough to take decisive action against so powerful a family, but have dealt with many other members of this faction. Soon after Nadir Shah's accession five of these were arrested, including Mahmud Jan, Yawar (*i.e.*, Personal Assistant) to Amanullah Khan, and Hafizullah Khan, formerly Consul General at Tashkent. At the close of the year their cases were said to be still under enquiry.

The opportunity afforded by the Koh-i-Daman rising of July was taken to arrest sixteen more members of this party, the most important of whom were Abdul Aziz, who had been Minister of War and subsequently Home Minister under Amanullah, his brother Abdul Hakim, *ex*-Governor of the Southern Province, Muhammad Sami, *ex*-Governor of Kabul, and his brother Muhammad Yaqub, who accompanied Amanullah Khan on his European tour as Minister of Court. These were ordered to remove themselves to India but on the impropriety of such an order being represented to the Afghan Government, were placed in custody. In December they were again ordered to leave the country and applied to this Legation for visas. These were not granted, and the party are still under surveillance in Kabul.

ACTION BY THE NEW GOVERNMENT TO LEGALISE ITS AUTHORITY.

839. On September 10, the first "Great Assembly" convened by Nadir Shah met at Kabul. The delegates were carefully selected and their proceedings rigidly controlled, while the ground had been prepared for general acceptance of their resolutions by a systematic campaign of propaganda against Amanullah Khan.

These resolutions were represented as constituting confirmation by the whole people of Amanullah Khan's dethronement and of the election of Nadir Shah, as the embodiment of the new type of monarchy—orthodox and democratic, as opposed to the impious autocracy of the *ex*-King.

Amanullah Khan had been rejected by the people as an individual; but this was not regarded as sufficient. To prevent all possibility of his restoration a constitutional and religious barrier was established to reinforce the personal disqualification.

This bid for the support of the mullahs on the one hand and the republicans on the other was apparent from both the King's speech and the Assembly's resolutions.

These provided for such matters as the declaration in favour of a democratic monarchy with Nadir Shah as King; the formation of a National Council of 106 members; the forfeiture of Amanullah Khan's property in Afghanistan in view of his wholesale misappropriation of State monies; and the restoration in the national flag of the old orthodox emblems of pulpit, arch and mosque in place of Amanullah Khan's godless innovations—the mountain, sun, and star.”¹

840. Situation in the Provinces.—The Eastern Province gave little trouble probably owing to the ability and loyalty of Mohammad Gul Khan, Mohmand, who was appointed Rais-i-tanzim in January 1930. The Shinwaris had done well out of the rebellion, obtaining not only a plentiful supply of arms but also a considerable revenue in the form of tolls which they levied from the caravans travelling between Peshawar and Kabul. In January 1930 the new Government took over the Frontier Customs Post at Torkham. The Shinwaris, in spite of the discovery of their plot and the arrest of Abdul Hakim (W. W. 42) and S. Amin Jan (W. W. 184) who had been fostering it in Peshawar, attacked and captured the post on 9th February. The revolt was however quickly suppressed, the leader fled and his house was burned, and a large number of rifles were recovered from the tribesmen.

The Province was quiet for the rest of the period.

841. The Southern Province was far from being under control. “It was the Wazirs, Mangals and Jajis of this area who had formed the bulk of the forces under Nadir Shah in his advance on Kabul in 1929, and to have attempted to enforce the return of Government arms and payment of revenue by his only supporters would have been to court disaster. Since the capture of Kabul, these tribes had increased Nadir Shah's obligations to them by responding to his call for assistance against the Koh-i-Damanis in July, and in the case of the Wazirs, Mangals, and Zadrans, by supplying in addition small contingents for service in Kataghan.”

842. In the Kandahar Province the situation turned on the attitude of the Ghilzais. There were continuous negotiations and occasional fighting, and at the end of a year the best that could be said was :—

“If the administration has failed so far to establish effective control, it can at any rate congratulate itself on having got through the summer without actual disaster, since, with the coming of winter, Ghilzais cease from troubling and Duranis are at rest.”

843. Herat was fairly settled under Abdur Rahim, whose allegiance had been tendered to and accepted by King Nadir Shah. He had established there a curious kind of democratic government, not unlike a Soviet system but distinguished therefrom by being of a strongly religious character and having a predominance of clerical and aristocratic influence in the managing body.

844. In the North trouble was caused by Ibrahim Beg, Lakai, who occupied the centre of the stage both in Mazar and Kataghan. He was a Basmachi who escaped from Ferghana to Kabul in 1926, after winning a

¹ Annual Report for 1930, Paras. 45-48 (A. S. XXXVII, 248).

considerable reputation as a leader of guerilla warfare against Soviet forces. In 1929 he was active in support of the Bacha's cause in Mazar, and in May of that year took a prominent part in opposing the advance made by Ghulam Nabi on behalf of Amanullah Khan from Russian territory.

"The refugees from Russian Turkestan had been settled along the Oxus frontier in considerable numbers by Amanullah Khan as a first line defence against possible aggression from the North, but owing to their propensity for raiding in Russian territory proved a constant cause of friction between the Afghan and Soviet Governments. In Ibrahim Beg they found a leader who took advantage of the weakness of the local Afghan administration to lead them against their old enemies across the Oxus. In reply to protests from the Soviet, the Afghan Government offered the usual assurances, but these were not implemented by any effective action, and in June the Soviet authorities in Turkestan lost patience, and, either with the idea of capturing Ibrahim Beg or perhaps merely in order to compel the Afghan Government to deal with him themselves, crossed the Oxus with a considerable force and penetrated as far as forty miles southward. This flagrant violation of the frontier was especially galling to the Afghan Government as a public advertisement of their helplessness.

It was also of great propaganda value to Ibrahim Beg, who could now pose as the orthodox patriot in opposition to a King who would not even defend his country against a foreign invasion. The Afghan Government attempted at first to restrain Ibrahim Beg, and to effect his surrender by negotiation, but these tactics only resulted in Ibrahim Beg declaring war on Nadir Shah, whom he denounced as an infidel acting in the Russian interest. In July Ahmad Ali Khan, who had served in the North under Amanullah Khan, was appointed Rais-i-tanzimia of Badakshan and Kataghan, but the local troops under his command appear to have been quite inadequate, and before reinforcements could be sent, the Koh-i-Daman rebellion of July broke out, which taxed all the resources of the Afghan Government before it was suppressed. By October, when the Government was at last free to deal with Ibrahim Beg in earnest, the situation had seriously deteriorated. Ibrahim Beg was reported to have been joined by considerable number of Uzbeks, as well as by refugees from the Koh-i-Daman, and was threatening Khanabad itself.

If he had gained any spectacular success at this time, the rebellion might have spread throughout the Northern Provinces. Some two thousand troops and tribal levies with pack guns were now sent to Khanabad under Muhammad Ghaus Khan, who had been commanding in Kohistan, and, as the result of some sporadic fighting in November, Ibrahim Beg was reported to have been defeated, and to have fled with a few followers to the island of Urtatagai.

The Government, however, decided that the time had now come to put an end to the state of disorder in these Provinces, which had lasted more or less continuously since the fall of Amanullah Khan, and which had led not only to violation of their frontier by Soviet forces, but also to serious interference with the important trade route from the North. On December 4, S. Shah Mahmud, the War Minister, left Kabul for Khanabad."¹

* * * * *

¹ Annual Report for 1930, Paras. 75-76 (A. S. XXXVII, 248).

HE ROYAL FAMILY IN KABUL.

845. All real authority was concentrated in the hands of the King and his two brothers, Muhammad Hashim Khan, Prime Minister, and Shah Mahmud Khan, War Minister. Sir Richard Maconachie's appreciation of them was as follows¹ :—

“ *Muhammad Nadir Shah* is now fifty, and both in character and bearing affords a striking contrast to Amanullah Khan. His upbringing in Dehra Dun, and the years he has spent in comparative obscurity in Europe, have given him a more balanced outlook and a better appreciation of political values than Amanullah Khan ever attained. If his views show a natural development as the result of his transition from Commander-in-Chief to King, there is nothing in them of volatility and inconsistency which characterised the *ex-King*; and his present policy towards His Majesty's Government is in strict accordance with statements made by him in 1924. In contrast to the theatricality and flamboyant perkiness of Amanullah Khan, he is grave and dignified in his public appearances. In private conversation he is extremely frank, and shows a keen sense of humour. So far as one can judge, he is not without ideals, but his principles of conduct are weaker than his patriotism, and the interests of his country would always to his mind justify the means required to serve them.

His treacherous treatment of the Bacha and his officials was probably due to political considerations rather than to a desire for private vengeance, and the necessity of sanctioning mass executions makes him, to the amusement of his brothers, physically ill. He is extremely sensitive to public opinion, particularly as it finds expression in the press. In Kabul he is a somewhat shadowy figure, keeping in the background, and letting his brother Muhammad Hashim Khan bear the main burden of the administration.

His constitution is weak, and he is something of a hypochondriac. It was never better than during his advance on Kabul when he had more important things to fill his thoughts, and until October last this improvement was maintained. He caught cold, however, during the Accession Celebrations, and for the next month seldom went outside the palace. He has now recovered. His indifferent health makes the burden of his present responsibilities all the heavier, and he would probably be genuinely glad to be rid of them. There appears however to be no one in the country who could take his place.²

Muhammad Hashim Khan, the Prime Minister, is forty-four. He is a less subtle character than the King, with an apparently genuine dislike of finesse or pretence of any kind. He is often impatient and tactless, especially, as he himself has admitted, towards “fools or rogues, which most of my people are.” He never forgets, as he says, that he was a gentleman before he was a Prime Minister, and in his directness, as in his ruthlessness, has something of the Abdur Rahman touch.

As might be expected from his characteristics, he is as unpopular with Afghan Officials, as he is attractive to Englishmen.

He is jealous of parting with any authority and tries to do everything himself; in consequence, he is constantly overworked and tired, and occasionally dispirited.

¹ Annual Report for 1930, Paras. 108-110 (A. S. XXXVII, 248).

² See also Appendix to Chapter IV.—Despatch from Sir Richard Maconachie containing impressions of King Nadir Shah's character and aims.

His dislike of all things Russian is apparently genuine, and consistent with his attitude while Minister at Moscow. He resigned this appointment, and refused any other, as a protest against his treatment by his own Government and its relations with the Soviet.

In private he is very pleasant company, with a lazy ease of manner which is very deceptive. In discussions he tends to become carried away by the strength of his feelings, but is soon recalled to his natural courtesy by an appeal to his keen sense of the ridiculous.

Shah Mahmud Khan, the War Minister, who is about thirty-five, is a less interesting character than either of his brothers. He has never been to Europe, and consequently lacks the polish of manner which they possess. He appears, however, to have considerable ability and strength of character. The King's eventual success was largely the result of the seed sown by *Shah Mahmud Khan* in Kabul and Kandahar. To make these preparations under the *Bacha's* nose must have required considerable nerve. He is essentially an outdoor man, active, and devoted to games. There are few facilities for these in Kabul outside His Majesty's Legation, and the fact partly accounts for his marked friendliness towards its members."

* * * * *

FOREIGN RELATIONS.

The foreign policy of the new Government.

846. "King Nadir Shah's foreign policy, as stated by himself and the Prime Minister, is one of quietism. Since the demands of internal reconstruction will absorb the whole resources of the Government for many years to come, such friendly relations as will insure against aggression from without are to be maintained with all foreign Powers; there is to be no interference in areas beyond the Afghan frontiers, and *Amanullah Khan's* 'irredentist' attitude towards Russian Turkestan on the one side, and India on the other, is to be definitely abandoned. Such a policy accords with common sense, and there seems no reason to doubt its sincerity."¹

847. **Turkey.**—"The fall of *Amanullah* was a severe blow for Turkish influence in Afghanistan, for it was from Turkey, through his father-in-law *S. Mahmud Tarzi*, that *Amanullah Khan* had originally drawn inspiration for his programme of 'Westernisation', and his visit to Angora in 1928 is generally regarded as having been responsible for his determination to accelerate that programme on his return to Kabul. It was from the present Turkish Ambassador that he received encouragement to force these ideas on a backward and fanatical people, even after the danger of such a course had become apparent to everyone else in the country.

Nadir Shah's own 'honourable banishment' in 1924 is known to have been the result of his outspoken warnings to *Amanullah Khan* on this subject, and the clerical class who have now regained much of the power which they had lost under *Amanullah Khan*, are naturally opposed to laicism for which Turkey stands. Consequently relations between Turkey and the Government of *Nadir Shah* were not likely to be cordial and, anxious though the King is to remain on good terms

¹ Annual Report for 1930, Para. 112 (A. S. XXXVII, 248).

With all foreign Powers, it is not surprising that the essential divergence in the policies of the two Governments has not always been concealed from the public view. The cancellation of Amanullah Khan's administrative code, which had been drafted by Bedri Bey, the re-introduction of the veil, and the recall of the Afghan girls from Turkey, all advertised the refusal of the new Government to follow Turkey's lead along the path of modernism. Equally significant was the fact that although Hikmet Bey was present in Kabul at the time of its capture by Nadir Shah, it was not until eight months later that he presented his credentials."¹

848. **Russia.**—The general state of feeling between Russia and Afghanistan was bad. "The view that Amanullah Khan was at heart a friend of the Russians and an enemy of Great Britain was generally held in Kabul," the Russian embassy had continued to support him long after his collapse was inevitable, Russian airmen had taken part in the operations against Bacha-i-Saqqao, and Ghulam Nabi's advance from the North in April 1929 would have been impossible without Russian backing. Russia was therefore closely connected in the public estimation with the cause of Amanullah Khan and her relations with the new Government were prejudiced from the outset. In Sir Richard Maconachie's opinion "a voluntary rapprochement between Russia and Afghanistan seemed less likely than a decision by the Soviet authorities to abandon diplomatic for more direct means of rendering King Nadir Shah amenable to their requirements."²

GREAT BRITAIN.

849. **General.**—"The inclination of Amanullah Khan's policy towards Russia and Turkey, made it certain that King Nadir Shah would look to His Majesty's Government for support.

There were other considerations which tended to influence him in this direction. There was first the common belief, which was probably not entirely absent from his own mind, that the British had in some mysterious way brought about the fall of Amanullah Khan. The absence of any evidence to support such a view would only increase an Afghan's respect for the skill of the hand which could remain so completely hidden. The moral was obvious, and may be one of the reasons for the insistence by the present Afghan Ministers on the necessity of winning British friendship if their Government is to make good.

Secondly, the policy of His Majesty's Government during the Afghan revolution, especially their abstention from interference either against or in favour of any of the several claimants to the throne and their refusal to recognise the Bacha, undoubtedly did much to convince the King of the sincerity of their respect for Afghan independence.

At the same time it was through British territory that he had been allowed access to the particular tribes from whom he could obtain support for his march on Kabul, and although he had failed to induce His Majesty's Government to modify their attitude of neutrality in his favour he was certainly grateful that no obstacle had been placed in his way.

Lastly the views of his brother Muhammad Hashim Khan, a stronger character than himself with an intense dislike of all things Russian must have had a considerable influence on his attitude."³

¹ Annual Report 1930, Para. 113 (A. S. XXXVII, 248).

² *Ibid.*, Para. 121.

³ *Ibid.*, Paras. 125-128.

FRONTIER AFFAIRS.

850. **Chitral.**—On the Chitral Frontier the Afghan Government had two outstanding grievances against the Government of India. Ghulam Khan Salarzai had occupied Asmar in December 1928, and the Mehtar of Chitral had occupied Dokalim and built a fort there in the following winter. Both questions had been raised by the Afghan Minister in London.

851. **Khyber.**—“The arrest of Sardar Amin Jan and Abdul Hakim in Peshawar contributed largely to the collapse of the Shinwari plot of February 1930 and the fact was fully appreciated by the Afghan Government. With the outbreak of disturbances on the Indian frontier after the Peshawar riots of April 23rd, they were to have ample opportunity of expressing their gratitude.”

852. **Kurram.**—The Jajis and Turis were nominally at peace under a temporary truce, but the sitting of a joint commission for some sort of final settlement was long overdue.

853. **Waziristan.**—The renewal of Nadir Shah's connection with the tribes on the British side of the border by his enlistment of them for his advance on Kabul, though made under dire necessity was nonetheless unfortunate from the British standpoint, and was the only direction in which his attitude to Frontier affairs gave ground for objection.

854. **Baluchistan.**—On the Baluchistan border the attitude of the Afghan authorities was on the whole helpful.

OTHER COUNTRIES.

855. **Persia.**—Relations between the two countries, though outwardly friendly, were in fact unsatisfactory, and causes of friction were on the increase.

856. **France.**—The King's residence of some years in France had made him sympathetic towards French interests in Afghanistan.

857. **Germany.**—Relations were complicated by the question of a credit of six million marks granted by the German Government to Amanullah, of which four million had been spent on the purchase of machinery. The liquidation of this debt was the first matter to be settled between the two governments.

858. **Italy.**—“Although a diplomatic representative was appointed to Rome as long ago as December 1929, no Italian representative had reached Kabul by the close of 1930.”

859. **Belgium and Switzerland.**—“Belgium and Switzerland had Treaties with Amanullah Khan's Government and the Afghan Minister at Paris was accredited also to these countries.”

860. **Egypt.**—“Amanullah Khan's Government signed a Treaty with Egypt in May 1928, and in April 1930, Hazrat Muhammad Sadiq, the brother of the present Minister of Justice, was appointed as King Nadir Shah's Minister at Cairo.”

861. **Latvia, Poland, Japan, and Liberia.**—“Amanullah Khan's Government was also in Treaty relations with Latvia, Poland, and Japan, and, it is said, Liberia, but no Ministers had been appointed by the new Government to these countries.”

862. **Hedjaz.**—“The Hedjaz Government had recognised King Nadir Shah, but had no Treaty with Afghanistan.”

CHAPTER IV.

KING NADIR SHAH'S REIGN.

ACCESSION OF KING NADIR SHAH—15TH OCTOBER 1929.
ASSASSINATION—8TH NOVEMBER 1933.

A. INTERNAL AFFAIRS.

863. **The Administration.**—The Administration during King Nadir Shah's reign comprised a cabinet consisting of the Prime Minister and 9 others selected by the Prime Minister with the King's approval, and two houses of representatives. The lower house of representatives was selected in the first place from the Great Assembly of King Amanullah's time, and new deputies were appointed in 1931.¹ The Upper House, consisting of 27 'intelligent and farseeing persons' was created in November 1931. Most of the Members were persons with administrative experience in the Provinces. Rules of procedure for both houses were published in the autumn of 1931. Elections of deputies to the National Council were to be held every three years, and the approval of the Council was required for the annual budget, the raising of government loans, the extension of roads, and the grant of concessions either to Afghans or to Foreigners. Legislation could be introduced in either house, but the decisions of either body would require to be referred for approval to the other before submission to the King.

864. **The Fundamental Principles of Government** were set out in writing in October 1931 in a document intended to replace King Amanullah's written Constitution which King Nadir Shah repealed immediately after his accession. A copy of a translation is reproduced as Appendix I to Part II of this book.²

865. **Trade and Finance.**—The two subjects of Trade and Finance are more closely connected in Afghanistan than in most countries, since not only do customs receipts provide about half the total revenue but the system of State Companies which control such matters as motor transport, export of fruit, etc., is well established. In these companies even Members of the Cabinet are permitted to have a financial interest.

When Nadir Shah became King the Treasury was almost empty, and receipts were just about covering expenditure. During the closing years of King Amanullah's reign the State income is estimated to have been about £2½ million a year, but in 1930, owing partly to the interruption of regular trade caused by the rebellion, and partly to the fall in the price of 'Persian lamb', the most valuable article of export, it probably did not exceed £1½ million. In 1931 the position improved. The price of Persian lamb had risen, the pacification of the country had progressed, trade routes generally were secure, and stricter supervision of the Revenue and Customs Departments, had resulted in a large increase of receipts under these heads. The improvement was maintained during the next two years, and the budget for 1932 was learned from an official source to be for a total revenue of £3¼ million.

866. **Currency and Exchange.**—In December 1929 a new 'Kran' (half-Afghani rupee) was coined with a low intrinsic silver value. During the following summer, owing to an unfavourable trade balance, the debasement of the coinage, and the insecurity of local conditions the exchange value of the Afghani rupee fell sharply. Between May and December 1930 the equivalent of 100 rupees Afghani fell from Indian Rs. 40-4-2 to Rs. 30. It improved slightly the following year, rising at one time to Rs. 37-6-0 but fell again as low as Rs. 30 in 1932 and 1933. During these two years there was considerable smuggled export of silver coin from Afghanistan to India.

In December 1930 a State Bank was founded. It had not made much progress when its functions were taken over by the Ashami Company.

867. **State Trading.**—At the beginning of King Nadir Shah's reign the State factories turned out only munitions, boots, clothing and equipment

¹ Despatch from Min, Kabul, No. 11, dated 23rd January 1932, Serial No. (1) in File No. 191-F./32.

² A. S. XLIII, 144.

for the Army, but much new plant for other factories was on order from Germany. In 1932 the only plant actually set up and working was a cotton textile mill at Jab-el-Siraj which turned out cloth of fair quality. A match factory was also working, but did not turn out more than a third of the country's requirements in matches.

Later in 1932 the inauguration of a new Company to be known as the **Ashami Company** was announced. Its functions and early workings are fully described in the British Legation's Annual Report for 1933. It was intended not only to make all purchases on behalf of the Government both in Europe and in India but also to supersede the various distributing agencies operating between the Foreign manufacturer and the Afghan retailer. It would, it was explained, purchase from the manufacturer abroad and supply the local shopkeeper direct, retaining only a small profit for itself—thus simultaneously obtaining a monopoly of the wholesale business of the country and reducing retail prices. A prospectus was issued in June 1933 in the form of a circular in English, in which the Company was given the title, apparently for foreign consumption, of "La Banque Nationale d'Afghanistan." This prospectus, after stating the authorised capital as 35 million Afghani rupees (= £745,500) went on to detail the banking business undertaken by the Company, and the concessions which it had been granted by the Government.

These concessions were :—

- (i) the issue of bank notes.
- (ii) the import of granulated sugar and petroleum products.
- (iii) the transaction of all Government purchases and sales.
- (iv) a sole option on the exploitation of all mines, and the establishment of all industrial institutions in Afghanistan.¹

* In July it was officially announced that a monopoly of the purchase of gold had been granted to the Company, which also took over the work of the Treasury.

It was believed that one of the methods by which the Company was to attain its main objects was to be the reduction of prices of imports by the elimination of middlemen, other than the Company itself, operating between the foreign manufacturer and the Afghan retailer. This view was confirmed by the operations of the Company during the year, which showed that a further reduction of prices or, in the alternative, an increase of profits for the Company, was to be secured in negotiation with foreign firms. In such negotiations the Company offers the foreign producer, if not a monopoly of supply, at any rate a guarantee of large orders, and demands in return substantial reductions in the normal sale prices of the commodity in question.

During 1933 the Company did considerable business with General Motors, with a Japanese firm exporting cotton goods, and in the petrol trade. Its attempts to obtain control of the export of fruit from Kandahar were successfully resisted by the local dealers.

The promoters of the Company were actuated by political as well as economic motives, and although they did much business with Russia in the 'Persian lamb' trade they were careful to avoid the danger of becoming dependent solely on Russia for the sale of their exports.

The most important development in the sphere of foreign trade during the period was the continued increase in the import of Japanese piece-goods. According to an unofficial estimate 75 per cent. of the piece-goods on sale in the Kabul market in 1933 were Japanese. British and Indian goods seemed to be disappearing altogether, and of Russian textiles it was only printed calico which was holding its own.

868. **Foreign Concessions.**—An American named Mr. Joffo visited Kabul in September 1930 in order, according to his own account, to negotiate an oil concession for the Standard Oil Company of New York in return for a loan to the Afghan Government. He and his Afghan representative returned to Kabul the following year, but left again with nothing accomplished. Later visits during the period were no more effective.

Herr Bogen, a German, who trades in Rome under the name of Giovanni, spent some time negotiating for a monopoly of Badakhshan lapis lazuli. He eventually obtained this monopoly, but found, when he began work on it, that the stocks available in Kabul were smaller than he expected and that so many Afghan officials were interested in smuggling the stone into India that his monopoly really existed only on paper. It was terminated officially by the Afghan Government in 1932.

The Afghan Government announced in 1930 that they would consider tenders for the lease of the Jagdalek ruby mines, but no offers were made.

869. Customs.—The Customs situation was described in the Annual Report for 1930 as follows :—

“ Customs constitute a heavy burden on the trade of the country. It is not merely, as is credibly reported, that receipts under this head provide half the State revenue, but that in addition the customs officials have to be squared. It is significant that Amanullah Khan's regulations opened with a reminder to these officials that the eye of the Omniscent was upon them.

It took five months for this Legation to obtain a copy of the present customs tariff, and that eventually supplied was a manuscript compilation of 39 pages. Its classification of dutiable goods is elaborate, and makes up in picturesqueness what it lacks in scientific precision. ‘ Mufflers, hashish, and honey ’ appear together as necessities, a category which also includes pearls. Rates of duty for imports vary from nil in the case of theological literature and firearms to fifty per cent. in the case of luxuries such as ‘ false hair of all colours, lady's collars, shawls and wall paper.’ The import of opium and hemp drugs is forbidden. Export duties are levied at different rates in different provinces and for Kabul are as high as 70 per cent. in the case of timber to less than 1 per cent. for slate. Transit dues and octroi are charged in addition.

It is obvious that the ordinary trader can have no precise information as to the amount for which he is legally liable, and is practically at the mercy of the customs official. The latter is however usually ready to consider any reasonable offer of a lump sum, and the official tariff does not appear to be followed much in practice. Foreign traders in Kabul state that a duty of 20 per cent. *ad valorem* with a surcharge of 1 per cent. which is earmarked for expenditure on education, is in fact being charged on all classes of imports.”

A translation of the latest Afghan customs schedule was sent by His Majesty's Minister in April 1931.¹ His report dated 12th August 1931² showed that its working was still far from satisfactory.

870. Communications.—Road construction and repair were actively continued throughout Nadir Shah's reign. The only railway in the country, a light one which used to connect Kabul city with Dar-ul-Aman, Amanullah's new capital, was closed at the end of 1931. At the time of Nadir Shah's assassination there was no indication that the Afghan Government contemplated any construction of railways in their country, and the periodical rumours regarding the extension of the Indian system into Afghanistan seemed to the Minister to originate with propagandists of Amanullah's party. Telephone construction was carried on actively, and the installation of wireless transmission sets was under consideration.

871. The Press.—There were fifteen newspapers and periodicals issuing in the country by the end of 1933. The Press generally was under strict official control and was strongly propagandist.

872. The Army.—The deterioration, through neglect and maladministration, of the Afghan army in the time of Amanullah Khan was one of the immediate causes of his final collapse. As an *ex-Commander-in-Chief* Nadir

¹ Despatch from Minister, Kabul to F. O., London, No. 42, dated 7th April 1931 (A. S. XXXIX, 168).

² Despatch from Min., Kabul to F. O., London, No. 109, dated 15th August 1931 (A. S. XLI, 166).

Shah was fully alive to this fact, and throughout his reign spared no pains to make his army efficient, loyal and up-to-date. The loyalty so conspicuously displayed immediately after his assassination and the excellent discipline maintained on that occasion demonstrated the success of his policy.

By the end of 1933 the strength of the regular army was estimated at 45,000. It included infantry, cavalry, signallers, artillery and other arms. Instruction received particular attention. In 1932-33¹ "some 200 students underwent a strenuous fourteen months course at the Infantry Officers' School, under the guidance of Major Christenn and Oberleutenant Schmid, *ex-officers* of the German Army. The syllabus included practice in night operations, a form of training almost unheard of in Kabul. The course terminated at the end of the year. The students who ranged from Major-General to Subaltern were examined, before passing out, by a board composed of six officers from the War Office, Major Christenn, and Lieutenant Schmid." Other schools of instruction were opened both for officers and for non-commissioned officers.

More detailed descriptions of the Army and its activities are to be found in other compilations.

873. Aviation.—(i) *Military*.—One of the King's first acts was to re-organise the Air Force, re-appointing Muhammad Ihsan Khan as Commandant, removing all foreign personnel and leaving the piloting and maintenance entirely in Afghan hands. Very little flying was done and there were not often more than four aeroplanes in commission at one time. The use of aeroplanes for military purposes was confined almost entirely to reconnaissance and the maintenance of communications. They were also used for propaganda by the dropping of pamphlets over disaffected areas.

Towards the close of his reign King Nadir Shah was considering the purchase of a number of new aeroplanes.

(ii) *Civil*.—King Nadir Shah did not renew the concession which had been granted during Amanullah's reign, for a Russian air-service, on the route Tashkent-Termez-Kabul. In spite of this the service continued to operate as an irregular private service for the use of the Soviet embassy. Negotiations with the German Junkers Company, which was operating a service in Persia up to March 1932, came to nothing. At the time of accepting material help from the British in the form of rifles and a loan for reconstruction, the Afghan Government gave a written undertaking² that 'if ever a convention was signed between the Government of Muhammad Nadir Shah and the U. S. S. R. for a service of Russian and Afghan aeroplanes, a convention on the same conditions would be granted to His Britannic Majesty's Government, should that Government so desire.'

874. Medical.—Medical matters made little progress, in spite of the construction and opening of impressive-looking hospitals at considerable expense. The dispensary at the British Legation was well attended, and in 1933 the figures were as follows³ :—

Total attendances	26,964
Total new cases	10,124
X-Ray examinations	207
Operations	85

B. PRINCIPAL EVENTS OF THE PERIOD.

I.—1929—1932—TO THE EXECUTION OF GHULAM NABI.

875. Kabul.—The Koh-i-Daman disturbances of 1930 have already been mentioned. They were suppressed with great severity and followed by many executions. After this initial severity greater lenience began to be shown. A few more of the prisoners taken were executed late in 1930, but all the remainder were released. In January 1931 the majority of the local leaders of

¹ Encl. to S. No. (1) in File No. 254-F/34, para. 131.

² Despatch from Minister, Kabul, to F. O., London, No. 63, dated 9th September 1930 (A. S. XXXV, 190).

³ S. No. (1) F. No. 254-F/34, para. 157.

the pro-Amanullah party were pardoned and sentences of banishment were cancelled. For the next year or more the policy towards those guilty of plotting against the throne was one of the conciliation and clemency for those professing repentance and loyalty and of severity in cases where those professions proved to be false.

In 1932 the King's apparent readiness to overlook past offences on condition of future loyalty encouraged the Charkhi family to launch a daring scheme for the overthrow of the Government---

"¹The head of this family was Ghulam Nabi, who had been punished and degraded by the Amir Habibullah for murder. He was restored to favour by Amanullah Khan, under whom he had held several important appointments, and in whose support he had in 1929 led a force from the North with Russian backing against the Bacha-i-Saqqao. During his tenure as Governor of the Southern Province, he had acquired considerable influence over the Dare Khel, the most turbulent section of the Zadrans, and he now conceived the plan of inciting this tribe to revolt through the agents who were already working for the cause of Amanullah Khan in Afghanistan. The most important of these was one Dauran, of Bannu, who is stated to have been introduced to Amanullah by Ghulam Nabi himself. At the same time members of the Charkhi family were to offer their submission to the Government, if possible obtain permission to return to Afghanistan, and then foment insurrection throughout the country.

* * * * *

In July, 1932 Ghulam Siddiq, who was Minister at Berlin and a brother of Ghulam Nabi, wrote to the King offering the services of himself and his family to the Government. The latter were naturally suspicious but, at the suggestion of the Foreign Minister, replied accepting this offer, and inviting Ghulam Nabi to Kabul. Their object was, as explained by the Foreign Minister himself, to test the good faith of this offer, and, if it were genuine, to employ the ability and energy of the Charkhi family in the service of the State, or, if treachery were intended, to have the most important member of that family in their power.

Meanwhile, chance enabled another member of the family, Ghulam Jilani, who had been banished in February, to return to Afghanistan. His son died, and he obtained permission to bring the boy's body for interment to Kabul, where he arrived by air on the 30th July.

In August Dauran was arrested by the Governor of the Southern Province, but Ghulam Nabi persevered with his plan, and on the 13th October 1932 reached Kabul with His Highness Shah Wali Khan. He was at once received by the King, who offered him an allowance for himself, and suitable appointments for his brothers, on condition that he withdrew to Constantinople, and abstained from all political activities in future. Ghulam Nabi pretended to be considering this offer, but meanwhile hastened on his plans and distributed money lavishly in Kabul.

By the 8th November the Government had obtained conclusive proof of his treachery. On that day the King summoned him and, explaining the case against him, demanded his explanation. Ghulam Nabi at first pleaded innocence, and then, when he saw the documentary evidence produced by the King, including a confession by Dauran, blustered and became abusive. The King thereupon ordered his execution and Ghulam Nabi was put to death.

He had, however, received no form of trial, and the next day steps were taken to counteract as far as possible the effect of this omission. Dauran and two emissaries of Ghulam Nabi, who had also been

¹Annual Report for 1932 (A. S. XLVII: 206, paras. 4-11).

arrested, were produced before three different official bodies, and invited to affirm that their confessions had been made voluntarily. This they did. All three bodies then found them guilty of high treason, sentenced them to death, and, in the case of Ghulam Nabi, returned a verdict that his execution had been just. Three other members of the Charkhi family including Ghulam Jilani, together with some other suspects such as Abdul Karim, were at once arrested, and at the close of the year were still imprisoned.

If Ghulam Nabi had received a formal trial, of however summary a kind, his execution would probably have been accepted by public opinion as richly deserved, and caused little more than transient excitement. As things are, however, the King's autocratic action aroused considerable feeling throughout the country.'

II.—1933—TO THE ASSASSINATION OF KING NADIR SHAH.

876. The sequence of events from the execution of Ghulam Nabi on 8th November 1932 to the assassination of King Nadir Shah on 8th November 1933 is described in the Annual Report for 1933 as follows':—

"The year was memorable for an internecine struggle between the Government and its opponents. During the three previous years the Amanullah party had contented itself with propaganda and political intrigue, but with the summary execution of Ghulam Nabi, one of its most important leaders, on the 8th November, 1932, what had been in origin a seditious movement assumed in an increasing degree the character of a blood feud between the Charkhi family and the ruling House. It would be a mistake however to regard the campaign of murder which culminated—for the time being at any rate—in the assassination of King Nadir Shah on the 8th November, 1933, as merely a private feud, for, although the principal motive of its directors may have been personal, they themselves belonged to the party of Amanullah, and were almost certainly implicated in Ghulam Nabi's plot for a rebellion. It is significant also that in two out of the three cases of murder which occurred during the year the assassins declared that their action has been inspired by purely patriotic motives.

In order to prepare instruments for the execution of their plans, the party of Amanullah redoubled its efforts to excite the politically minded youth of Kabul by propaganda that Nadir Shah had sold the independence of his country to the British, whose puppet he was. This had always been the favourite slogan of this party, and during the year under report certain developments outside Afghanistan itself seemed to give it added force.

As Ghulam Siddiq, brother of Ghulam Nabi, had long resided in Germany, it was not surprising that these efforts met with most success among the Afghans who had been educated in Germany, and the students of the German School in Kabul. Among the latter were two sons of Ghulam Jilani, another brother of Ghulam Nabi, who were discovered later to have been efficient channels for such propaganda. Mitha Singh of the Ghadr Party was mentioned in the Annual Report for 1932 and at the tea shop kept by his German wife, the 'German clique' of young Afghans met to exchange reminiscences of Berlin, and deplore the backwardness of their own country as evidenced by its lack of alcohol and other means of entertainment. Ghulam Siddiq is stated to have got into touch with this clique through Mitha Singh, who was also a means of communication between it and Sardar Muhammad Wali, since 1930 a prisoner in the Kabul jail on a charge of plotting to establish a republic. The first shot however was fired not in Kabul, but at Berlin."

877. Murder of the Afghan Minister at Berlin.—"On the 6th June Sardar Muhammad Aziz the Minister at Berlin, who was a half brother of King Nadir Shah, was murdered by Said Kemal, an Afghan, who had been sent to Germany for education, and had evaded compliance with orders given him to return to Afghanistan.

Said Kemal announced that his crime had been intended as a protest against the predominance of British influence in Afghanistan. The prominence given to this statement in the English and Indian press gave him precisely the advertisement which both he and the party of Amanullah desired, and greatly increased the probability that his act would before long be imitated in Afghanistan.

No arrests appear to have been made by the Afghan Government in connection with this crime, which they regarded as having been planned entirely in Germany by Ghulam Siddiq, Shuja-ed-Daula, formerly Minister in London, and their adherents. Negotiations were opened with the German Government, and continued until the end of the year, for the extradition of these persons."

878. Murders in the British Legation, Kabul.—"The next tragedy occurred on the 7th September, when three members of the staff of His Majesty's Legation were shot by an Afghan, named Muhammad Azim, who had failed in an attempt to interview either His Majesty's Minister, or the Secretary to the Legation. Muhammad Azim was a teacher at the German School in Kabul, and immediately after the commission of his crime declared himself a friend and follower of Said Kemal. His object had been, in his own words, to "effect a settlement between the British and the Young Afghans. It is rumoured generally", he said, "that the British have secretly acquired Afghanistan and are deceiving Afghanistan." Muhammad Azim, according to information from an official source, had first intended to assassinate King Nadir Shah, but failing to find a suitable opportunity for doing so, had made his way into the Foreign Office with the idea of killing the Foreign Minister. On being refused admission to the latter's room, he had at once proceeded to His Majesty's Legation. Under examination he maintained that no one had explicitly suggested to him the crime which he actually committed, but said that he had first been led to think of it by propaganda put about by Muhammad Wali, through Mitha Singh, to the effect that since Said Kemal at Berlin had shown the way it was for the youth of Afghanistan to emulate his example in Kabul itself.

The investigation of this outrage was stated to have disclosed a considerable amount of correspondence, seditious or revolutionary in character, on the part of Muhammad Wali, Ghulam Jilani, and other political prisoners in the Kabul jail, with their sympathisers in the city, including the 'German clique.'

The simultaneous discovery that Amanullah Khan had taken advantage of the Government of India's operations in Mohmand country to disseminate fresh propaganda throughout Afghanistan increased the gravity of the situation.

The Afghan Ministers hastened to offer their condolences to His Majesty's Legation, and the "Islah" declared its abhorrence of the crime. There is no reason to regard these sentiments as insincere. Apart from any other considerations the Afghan Government are justly proud of the progress made in the short period since the revolution of 1929 towards the pacification of their country, and any event which proclaims to the world at large the essential insecurity of local conditions is a severe blow to their pride. The shock caused to them by the outrage itself, and the necessity of dealing adequately with a situation of imminent danger, convinced them that drastic measures were necessary.

From the practical standpoint however they were in a position of considerable difficulty. Said Kemal and Muhammad Azim had demonstrated the fanaticism which could be aroused in an Afghan's mind by the belief that his Government is acting under British dictation, and it was obvious that extreme measures against the revolutionaries at this juncture would be calculated to give rise to further propaganda of this kind, and so in due course to produce further outrages.

Such difficulties would have been greatly enhanced if any attempt had been made in the British or Indian Press to remind the Afghan Government of their responsibilities. Fortunately no such mistake was made, and the Government were left to deal with the situation in their own way."

879. Extreme measures taken.—"Extreme measures were accordingly decided upon, but these were represented as punishment for treason, and in no way connected with the outrage at His Majesty's Legation. Even the actual murderer's real purpose was officially declared to have been the subversion of the existing Government and its basis, the Islamic Code, in order to popularise free love and alcohol throughout the country. Muhammad Azim was tried, convicted and sentenced to death on the 12th September, and executed next day.

A day or two later Muhammad Wali, who had been Amanullah Khan's Foreign Minister, Minister of War, and Regent during his sovereign's European tour; Ghulam Jilani, brother of Ghulam Nabi; Sher Muhammad, another member of the Charkhi family; Hidayatullah formerly Consul-General in India and two other persons of less importance were executed. Numerous arrests were made, including that of Mitha Singh. These measures, however drastic as they were, seemed more likely to drive the movement underground than to crush it completely.

In October a son of Shah Nur, an important Hazara Chief, was arrested on suspicion of disloyal activities, and although he was soon afterwards released the Hazaras, from whom the Army is largely recruited, were reported to have been displeased."

880. Assassination of the King.—"His Majesty's Minister continued to impress on the Government the necessity of adequate precautions for the protection of the King, and when the military review fixed for the 16th October, the anniversary of Nadir Shah's accession, was cancelled, it seemed as if these warnings had taken effect. Three weeks later however while attending a prize giving of the Kabul schools, the King was assassinated by Abdul Khaliq, a student of the German school and a natural son of Ghulam Nabi. According to the French and German professors present, the royal bodyguard was with difficulty restrained from perpetrating a general massacre of the boys. The motive of the murderer, unlike that of Said Kemal and Muhammad Azim, appears to have been almost entirely one of personal revenge, but it seems very probable that, if Abdul Khaliq had not forestalled them, the revolutionary party would have found its own means of assassinating the King.,

The Prime, Commerce and Foreign Ministers were in the Northern Provinces on a tour of inspection when this tragedy occurred, and Shah Mahmud, the Minister for War, was the only member of the Government with any real authority present in Kabul. Whatever his failings may be, indecision, is not one of them, and this crisis showed him at his best. After giving orders prohibiting the transmission of any telegrams but his own, he at once removed the King's body to the Ark, and declaring that His Majesty was alive and likely to recover summoned the leading civil and military officers, in order to secure their allegiance for Zahir Jan, the late King's son. He then announced the King's death, offered

his own allegiance to Zahir Jan, and induced the local notables to follow his example. The assassination occurred at 2-45 P.M., and at 6 P.M. a royal salute was fired to show that the new King had been accepted, at any rate by Kabul. Equally energetic measures were taken with the provinces and the frontier tribes, who found themselves required to sign deeds of allegiance to Zahir Jan almost before they realized what had occurred, and certainly before they could discuss any other line of action with their neighbours. These rush tactics proved a brilliant success, and contrary both to the expectations of the Afghan Ministers themselves, and to all local precedents, the new reign began without a disturbance of any kind. This fact alone showed clearly that the assassination had not been planned by the leaders of Amanullah's party, whom it found unprepared to take advantage of the situation for which they had hoped so long.

They attempted to make up for lost time by launching an intensive campaign of propaganda in Kabul itself. Leaflets purporting to bear the signature of Amanullah were distributed in the city, denouncing the present Government as traitors and tyrants, and stating that the *ex*-King had reached the northern frontier. The action taken by the Government against the revolutionary party after the Legation outrage of the 7th September afforded an opening too obvious for the pamphleteer to miss :—

He (*i.e.*, Muhammad Wali), with thousand of Sardars of Islam was killed in connection with the murder of an Englishman committed by Muhammad Azim Khan, Ghazi.'

The Government's reply to this attack was definite. On the 16th December four men were tried and found guilty of the murder of King Nadir Shah, two of them, Abdul Khaliq, and Mahmud being sentenced to death, and the other two to imprisonment for life. The following day six men were tried and convicted on the charge of disseminating seditious propaganda. All of these were condemned to death. These eight men were executed on the 18th December, together with eight others who, according to the official account, had been found guilty of treason by the official Committee of Investigation, and were to be sent for regular trial later. In deference to popular clamour, however, they were tried summarily and sentenced. This batch included two nephews of Ghulam Nabi, and a connection of Mahmud Tarzi, Amanullah's father-in-law. Abdul Khaliq, the actual murderer of King Nadir Shah, was handed over to the troops and done to death with extreme brutality. The official explanation of this disgusting incident was that, in order to prevent an outbreak by the Army at the time of his father's murder, Zahir Shah had been compelled to promise to hand over Abdul Khaliq to them for execution.

The next sensation was the publication of an alleged confession by Abdul Khaliq that he had been instigated to assassinate Nadir Shah by the wife of Ghulam Siddiq, the brother of Ghulam Nabi. The arrest of this woman and certain others of the Charkhi family appeared to forebode further severities, but the Foreign Minister assured His Majesty's Minister, in reply to informal enquiries on the point, that extreme measures against them were not intended.

At the close of the year conditions throughout the country were outwardly peaceful, but Kabul was tensely awaiting Amanullah Khan's reply to the recent executions, and local opinion pointed to the Prime Minister as the most probable victim of the next outrage."

881. The Eastern Province gave very little trouble during the period; and events in that part do not require special mention.

882. The Southern Province.—The Wazirs, Mangals and Jajis of the Southern Province had formed the bulk of the forces under Nadir Shah in his advance on Kabul in 1929. Since the capture of Kabul they had increased his obligations to them by responding to his call for assistance against the Koh-i-Damanis in July 1930 and by supplying in addition small contingents for service in the North. To have attempted to enforce the return of Government arms and payment of revenue from his only supporters would therefore have been to court disaster.

In August and September 1930 an attack was made on the Kurram Valley by a lashkar mainly of Mangals, Muqbils and Chamkanni tribes, comprising a considerable number of those who had been employed by the Afghan Government against the Koh-i-Damanis. "The Mangal" lashkars returning from service appear to have been persuaded by 'Khilafatist' agents that money was being, and would be, paid by the British authorities to buy off impending attacks.

It was a clever piece of propaganda, and one which deceived the Afghan Government themselves.

Lashkars threatened the Kurram delivering occasional attacks, from August 17 to September 13, when owing partly to discouragement at their failure and partly to the influence of jirgas sent from Kabul, they finally dispersed."

In 1931 a beginning was made towards the establishment of law and order, and in the vicinity of Matun itself official authority was said to have been affirmed. Encouraging reports of the recovery of arms were made, but these seem to have been exaggerated. In December fresh orders were issued to the Administrator impressing on him the necessity of tact and patience in handling the tribes of that area. Meanwhile serious raiding across the Kurram border continued. In 1932 the situation deteriorated still further, culminating in the discovery of Ghulam Nabi's plot. His Highness Shah Mahmud left for Gardez with a considerable body of troops and at once attacked the Dare Khel Zadrans. The attack was a complete success, and the Dare Khel submitted, though they allowed the leading rebels and agitators to escape across the Durand line. Early the following year there was a serious incursion from Waziristan and an attack on Matun, which were stoutly resisted by Afghan regular troops and by tribal levies speedily organised for the purpose. "After the dispersal in March of the lashkar from Waziristan, conditions in the Province were unusually peaceful and the Government at last took steps to strengthen their administration. Lavish rewards were given to those who had co-operated with the Government troops; extension of the Kabul-Gardez road, to Khost in one direction and to the country of the rebel Dare Khel Zadrans in the other, was put in hand; the permanent garrison was brought up to two divisions; a bid was made for the support of the Khost mullahs by special grants of land; and a considerable number of the sons of local leaders were enrolled as pupils in the "Tribal School" at Kabul. In October, by the surrender of the Lewanai Faqir and the capture of four rebel leaders, who were promptly executed, the probability of further outbreaks was definitely reduced. The successful termination of the Joint Commission, held during June and July for the settlement of cases between the residents of the Kurram Agency and the neighbouring Afghan tribes, was another factor which made for peace."

883. Kandahar Province.—During 1930 conditions remained disturbed, but the Afghan authorities showed by specific examples of co-operation with the British Frontier authorities that they could exercise control when the situation required it. In 1931 Muhammad Gul Khan, Mohmand, who had won a reputation both as Administrator in the Eastern Province and by his successful pacification of the Koh-i-Damans was appointed Administrator of Kandahar Province. His administration was firm and progressive, and reforms and pacification went on apace.

884. Herat.—At the time of Nadir Shah's accession the head of the administration in Herat was Abdur Rahim Khan. Abdur Rahim was a Tajik

¹ Encl. to S. No. 248 in A. S. XXXVII, para. 143.

² Encl. to S. No. (1) in F. No. 254-F./34, paras. 93 and 94.

of Koh-i-Daman, who had been appointed to the post by Bacha-i-Saqqao in May 1929. After he had first deposed Amanullah Khan's governor at Mazar-i-Sharif and then defeated the Royal forces under Muhammad Ghaus at Herat. A fortnight after his appointment by Bacha-i-Saqqao as Civil and Military governor he issued a proclamation announcing the establishment of a republican form of Government, by which the administration of the province was placed in the hands of a Committee of fifty, consisting of religious leaders, officials and prominent citizens. The government thus formed differed from anything Russian in that it was of a strongly religious character and that there was a predominance of clerical and aristocratic influence in the managing body. The position which confronted Nadir in Herat was therefore of some complexity, but by tactful handling he obtained a bond of allegiance from Abdur Rahim Khan and re-appointed him as "Rais-i-Tanzimia" of Herat. There, in spite of continual rumours that he was about to be removed he retained his appointment, and the situation remained satisfactory throughout King Nadir Shah's reign.

885. The Northern Provinces.—The situation created by the rebel Ibrahim Beg in 1930 had eventually to be met by the despatch against him of the War Minister in person. "The War Minister reached Khanabad early in January, and the leading Uzbegs quickly made their submission. Ibrahim Beg's cause however still received considerable support among the people, and it was probably this which enabled him to leave Urta Tagai and commence raiding east of Mazar. In March he was forced to retire towards the Russian frontier while Government troops consolidated their hold on the principal towns, and in the following month he was driven across the Oxus with considerable loss. Russian aeroplanes bombed his following during their crossing of the river, but unfortunately caused several casualties among the Afghan troops who were in pursuit. Ibrahim Beg was reported to have been given a favourable reception by Basmachis in Turkestan, and to have carried out some successful raids against the Soviet forces. On the 23rd June however he was captured by the latter, and imprisoned at Tashkent.

The disappearance of Ibrahim Beg was quickly followed by the restoration of order and a revival of trade. A conciliatory policy was adopted towards the Uzbegs, a considerable number of whom were brought to Kabul and settled, presumably as hostages, in the vicinity of Butkhak. The administration of the Provinces was overhauled, and strong garrisons established at the main centres, that of Mazar being fixed at 5,000 men.¹

Towards the end of 1932 Muhammad Gul Khan, Mohmand, was transferred as Administrator from Kandahar to the Northern Provinces, where he enhanced his reputation for efficiency.

886. Announcement of King Zahir Shah's accession in the Provinces.—The announcement of King Zahir Shah's accession to the throne reached outlying provinces simultaneously with the news of his father's assassination. It was made so firmly and quickly that the Provinces found they had accepted it almost before they realised what had happened.

C. EXTERNAL I—RELATIONS WITH THE BRITISH GOVERNMENT AND THE GOVERNMENT OF INDIA.

1. GENERAL.

887. Resumption of Diplomatic Representation.—The despatch of His Highness Shah Wali Khan to London and the appointment of Sir Richard Maconachie to Kabul have already been noted. The new British Mission left Peshawar on 9th May and arrived in Kabul two days later, being well received everywhere *en route*. The Minister presented his letters of credence to King Nadir Shah on 17th May. He was received with full ceremony, including an escort of a troop of Household Cavalry to the King's Palace and a guard of honour of fifty infantry at the door. His Majesty after reading his official reply in a somewhat formal and lifeless manner, came forward and shook hands warmly, making personal enquiries and laughing at his recollection of

¹ Encl. to S. No. (1) in F. No. 191-F/32, paras. 89-90.

an incident of their last meeting. The following extract from Sir Richard Maconachie's despatch¹ is of interest :—

“After presenting the members of my staff, each of whom he greeted very cordially, I followed him to a smaller room where the two Ministers were in attendance.

I then presented the King's reply to his letter announcing his accession. This was received with every mark of respect and gratification. He asked after the King's health and showed by his enquiries how closely he had followed the progress of His Majesty's illness and convalescence. Expressing his pleasure at my appointment he remarked how advantageous it was from his stand-point that I was already acquainted with his country and its problems. He was confident, he said, that I would help him in bringing about real friendship between the two Governments, and the first requisite for success in this direction was the removal of any suspicion which either might have in regard to the other's actions and motives.

I suggested in reply that the best means of removing suspicion was frank discussion, and said that, if there was ever anything in the policy of my Government which caused him anxiety or doubt, I hoped he would instruct his Foreign Minister to ask me directly for the explanation which I would always be ready to give.

King Nadir Shah expressed his cordial agreement, and said he was sure that he and I would be as frank with each other in the future as we had been in the past.”

This determination on the part of both parties to remove suspicion by frank discussion proved of the greatest value in subsequent events.

888. General atmosphere of relations.—The general atmosphere of relations between Great Britain and Afghanistan for the four years of King Nadir Shah's reign was good. The King and his brothers had a genuine belief in Great Britain's friendly intentions and desire to see Afghanistan a strong united nation. This belief was shaken on occasions by such incidents as the incursion of Wazirs and Mahsuds into Khost in 1933 and by injudicious publication of praise of the Afghan Government, which merely serve to confirm hostile propaganda against them, but at the end of the period relations were restored to their former cordiality.²

889. Consulates.—The British Consulates at Jalalabad and Kandahar were re-opened in June 1931.

890. Receipt of Material Help.—King Nadir Shah's predisposition to look to the British Government for support has already been noted. On the British behalf the Secretary of State for Foreign Affairs had, from the outbreak of the rebellion, stated that³ “His Majesty's Government.....earnestly desire the establishment of a strong central Government (in Afghanistan) and they will be prepared when this Government is established to show their friendship for the Afghan people by giving it such assistance as they can in the reconstruction and development of the country.”

The Afghan Government, partly from fear that unwelcome conditions might be imposed, and partly from fear that their acceptance of help from His Majesty's Government would tend to confirm the suspicions held by many Afghans as well as by the Soviet Embassy that King Nadir Shah had concluded some sort of secret agreement with the Government of India, delayed making any definite request until 16th June 1930. The request made⁴ was for 20,000 rifles with 1,000 rounds of ammunition for each, and £400,000 cash—all to be free gifts. His Majesty's Minister was of opinion that half of this

¹ A. S. XXXII, 2.

² F. No. 254-F/34.

³ A. S. XXXVII, 248, para. 130.

⁴ Despatch from Minister, Kabul, to F. O., London, No. 24, dated 18th June 1930 (A. S. XXXII, 261).

was what the Afghan Government really needed and expected, and made his recommendations accordingly.¹

“ The assistance requested was granted in the form of 10,000 ·303 rifles with ammunition and as a loan free of interest £100,000 in ready money with the promise of ‘ a further substantial sum ’ four months later provided that relations between the two Governments continued to be satisfactory.

No conditions were attached to this grant, but the opportunity was taken to invite a statement by the Afghan Government in regard to British interests, particularly those connected with the Indian frontier. As a result of these discussions oral assurances were given by the Afghan Government that tribesmen from the Indian side of the frontier would not be summoned to ‘ jirgas ’ in Afghanistan ; that such tribesmen would not be employed as Afghan ‘ Khassadars ’ in Indian territory, and that the whole frontier policy of the Afghan Government would be actuated by a desire for peace on both sides of the frontier, and a spirit of true friendship towards His Majesty’s Government.

The question of the continuance of the allowances which had been paid by former rulers of Afghanistan to ‘ British ’ tribes was reserved for future discussion.

Written undertakings were given that no expenditure would be made on objects prejudicial to British interests, and that, in the event of a Convention being concluded with the Soviet Government for the operation of a Russo-Afghan air service, a Convention in the same terms would be offered to His Majesty’s Government.”

These statements were made and assurances given in interviews of the British Minister with first the King himself² and then the Foreign Minister.

“ Delivery of the munitions at Kabul was completed on October 14 and some thousands of the rifles were at once issued to the local garrison of regular troops in place of their former heterogeneous armament, which was withdrawn.

A sum of £100,000 was placed at the credit of the Afghan Government with an Indian Bank.”

The Afghan Government though warned from the start that secrecy on this subject could not be maintained, had seemed to hope to the last that their wishes could be respected, and the publication of the facts in an inspired article came as a severe blow to them.³ “ In the first shock of alarm and resentment they were disposed to discover a sinister motive for proceedings so wholly unintelligible to them, and to suggest that His Majesty’s Government might be interested to increase their moral difficulties, while adding to their material strength. These suspicions gradually passed, while very real gratitude remained. King Nadir Shah however was well aware that nothing could undermine the position of an Afghan King so swiftly and surely as a general belief that it rested on foreign support, and it was not too much to say that his anxiety to counteract the effect of those disclosures was the dominant factor in his foreign policy throughout the year.”

The money was credited in rupees into a Bank in India and not in sterling in London. This was at the express wish of the Government of India⁴. ‘ A further substantial sum ’ was promised four months later provided the relations between the two Governments continued to be satisfactory.

¹ Encl. to S. No. 248 in A. S. XXXVII, paras. 130, 131 and 132.

² Despatch from Minister, Kabul, to F. O., London, No. 63, dated 9th September 1930 (A. S. XXXV, 190).

³ Kabul despatch, No. 11, dated 23rd January 1932 (A. S. XLIII, 134).

⁴ A. S. XXXIII, 148 and 289.

The second instalment was fixed at £75,000 and was communicated to the Afghan Government in March 1931. At their request part of it was supplied in the form of 5,000 rifles and ammunition, which were delivered in May. The balance of cash, equivalent to £10,500 was not paid until November. The delay in payment was unfortunate and was mis-interpreted by the Afghan Government.

2. INTERNATIONAL PROBLEMS.

891. Principle of Reciprocity.—Reciprocity in international relations is a natural corollary of the growth of nationalism. In their relations with His Majesty's Government it is a test which the Afghans are constantly applying. The answer that it is contrary to international usage, or that it is at variance with the practice of His Majesty's Government *vis-a-vis* other nations is enough to induce them to withdraw any claim which they may have made. By the same test they will resist any claim made by His Majesty's Government if they are not satisfied that His Majesty's Government would, in similar circumstances, have made the same claim from any other established nation. In the case of otherwise disagreeable claims, they are usually willing to admit their liability in accordance with international usage, but are too often not in a position to discharge it. Examples follow.

892. Arrest of deserters and return of property.—Deserting Government servants from one nation absconding to the territory of the other were detained and relieved of all articles in their possession, whether arms, clothing or equipment, which was the property of the Government from whose service they had deserted. They themselves were then allowed to depart, and the property was returned to the Government to which it belonged. Several instances of this occurred during Nadir Shah's reign. The most important case was the desertion of a party of 15 Afridi police from Baluchistan in September 1930. The Afghan Government returned 17 rifles with equipment¹. On another occasion 4 deserters from the Afghan Army arrived at Chaman in July 1932²; the whole of their equipment was returned to the Afghan authorities.

(See also Chapter XXVI Refugees, in Sir Richard Maconachie's précis, and Chapter XV Refugees in this book.)

A considerable quantity of arms and ammunition belonging to King Amanullah Khan's Government came into the hands of the British Frontier Administrations during the rebellion. This was all returned during 1930.

893. Absconding offenders, Criminals, Revolutionaries, etc.—The principles recognised by the two Governments in dealing with one another's requests for action against potential or actual offenders were those described in Chapter XXVI of the Précis on Afghan Affairs 1919 to 1927. Further examples are discussed in Chapter XV of this book. The chief persons whose cases came up were :—

I.—Absconders from India.

894. Bostan who murdered Lieut. Stevens and Assistant Surgeon Cabral on the Jandola Razmak road on 14th June 1929 ;

895. Zari who murdered Lieut. Synge and Private Whawell on the Jandola-Wana road in November 1931 ;

896. Khair Mohamed, alleged to be responsible for the kidnapping of Major Farley and Captain and Mrs. Frere from the Baluchistan border in 1930.

The first two were British protected subjects, and the third an Afghan subject.

¹ Memo. from Minister, Kabul, No. 385, dated 28th October 1930 (A. S. XXXVI, 125).

² Express Letter from Baluchistan, No. 74-P. Z., dated 18th July 1932 (A. S. XLV, 60).

Taking the cases of all these together the British Government had a complaint against the Afghan Government that they and their like could be sure of treatment which amounted almost to a welcome on reaching Afghan territory. A complaint to this effect was several times made by the British Minister verbally in Kabul, and on more than one occasion in writing.

The Afghan Government's treatment of Bostan was influenced by the fact that he had taken service under Nadir Khan in the latter's march on Kabul in 1929. He had distinguished himself in the fighting and had been wounded. He was given land in the Logar Valley as a reward for his services. At the time of making him this grant the King had not known that he was wanted by the British Government as a heinous offender.¹ The Foreign Minister promised in October 1930² that Bostan should be removed further from the Indian Frontier, but it was later stated that he had made this promise under a misconception, and the Afghan Government considered that they had discharged their obligations by refusing him land in Khost, removing him from the immediate vicinity of the frontier, and taking steps to keep him under control³. The British Government were still not satisfied over Bostan, when the murder by Zari of Lieut. Synge and Private Whawell was committed. Zari also fled to Afghanistan. The British Minister immediately represented to the Afghan Foreign Minister the urgency of the Afghan Government's at once making it clear 'not only by their words but by their actions that they viewed such crimes with abhorrence and would show no favour to those who committed them.'⁴ The Afghan Foreign Minister issued urgent orders for the arrest of Zari if found in Afghanistan, and a few days later told the British Minister that it was his intention, if Zari were caught, to deport him to Turkestan.⁵ This was eventually done.

The cases of Bostan, Zari, Shahzada and Khair Mohamad were the subject of a long despatch from the Minister, Kabul to the Secretary of State in November 1931.⁶ Shahzada was believed to be the murderer of Captain and Mrs. Watts in 1923, and was settled in the North as an exile for this reason. He fought under the War Minister against Ibrahim Beg in the North in 1930 and 1931, and had been brought to Kabul by the War Minister, rewarded for his services, and then sent back to the North. Khair Mohamad had been responsible for the kidnapping of Major Farley and Captain and Mrs. Frere, but had also been the instrument through whom the Afghan Government had secured their speedy release. Partly for this reason and partly for local political reasons, he had been rewarded. The Afghan Government's explanations of their own difficulties in the cases of all these offenders⁷ had in the end to be more or less accepted,⁸ but with a view to the future His Majesty's Minister was instructed to ask for a written assurance that the Afghan Government accepted their responsibilities.

II. Absconders from Afghanistan.

897. The Koh-i-Daman refugees.—Four persons were arrested in Peshawar in October 1930 under the Foreigners Act, having entered India with passports which seemed to be false. As they were believed to be fugitive rebels their case was reported to the Afghan Government. The Afghan Government identified them as Mohamad Ibrahim and others, ringleaders of the Koh-i-Daman rebellion and asked that 'as they were guilty of crime after crime' they might be removed from the Frontier; the Afghan Government at the same time⁹ mentioned four others whom they wished to be similarly removed. The number found in Peshawar eventually reached fifteen. All were sentenced under Section 40 F. C. R. to three years rigorous imprisonment in default of furnishing security, with the exception of one for whom

¹ Memo. from Minister, Kabul, No. 52, dated 7th August 1930 (A. S. XXXIV, 65).

² Memo. from Minister, Kabul, No. 52, dated 3rd October 1930 (A. S. XXXV, 298).

³ Despatch from Min., Kabul, to F. O. London, No. 164, dated 24th November 1931 (A. S. XLII, 220).

⁴ Kabul Memo. No. 153, dated 11th November 1931 (A. S. XLII, 168).

⁵ Memo. from Min. Kabul No. 626, dated 9th December 1931 (A. S. XLII, 269-A).

⁶ Despatch from Min., Kabul, to F. O., London, No. 164, dated 24th November 1931 (A. S. XLII, 220).

⁷ A. S. XLI, 32 and 33 and XLII, 220.

⁸ A. S. XLI, 58A and 123, and XLIII, 105.

⁹ (A. S. XXXVII, 179, 218, and 245).

the sum required in security was fixed at Rs. 10,000.¹ The latter furnished the security demanded and was required to remove himself East of the Indus.

In 1933 the further detention of all these refugees under Regulation III of 1818 was ordered.²

898. The Hotak Refugees.—Similar action was taken in Baluchistan in 1931 when Bang and his party, refugees from Hotak, arrived in Hindu Bagh with their arms. All were disarmed and detained under the Frontier Crimes Regulation. After reference to the Afghan Government the Government of India ordered³

- (i) That security should be demanded from eight named leaders that they would remain East of the Indus and would not attempt to use British Territory as a base of operations against the Afghan Government; and
- (ii) That the remainder should be released without their arms, previous notice being given to the Kandahar administration and to the British Legation, Kabul for communication to the Afghan Government.

They were unable to furnish the required security and were therefore sentenced to imprisonment. What to do with their families was a problem which the Government of India found difficult to solve⁴.

In return for action against such persons as these the Afghan Government continued to exercise the strictest possible control over Indian revolutionaries in Afghanistan⁵.

899. Ahmad Ratib.—In August 1931 the Afghan Government represented to His Majesty's Minister at Kabul that Ahmad Ratib was spreading pro-Amanullah propaganda and promoting agitation against King Nadir Shah in India. He was arrested in Baluchistan in January 1932, and detained under a warrant issued under Regulation III of 1818. A month later the Government of Afghanistan stated that they had no objection to his going to Persia if released. As this was his intention he was released on 20th February 1932.

900. Anti Nadir Intriguers among the Tribes.—The action taken in Waziristan and Bajaur to fulfil requests by the Afghan Government for the arrest or expulsion of such persons as "Pak", the "Lewanai Faqir", the "Tor Malang", and the "Kotkai Pretender" (Ghulam Dastgir), is described in paras. 916-917.

S. Amin Jan and Abdul Hakim Khan, who were discovered early in 1930 to be plotting in Peshawar for a Shinwari revolt against the new Government were arrested by the Administration of the North-West Frontier Province and removed from the Frontier.⁶

The requests made in these cases by the Afghan Government were justified by their own action in exercising restraint on the Haji of Turangzai and his sons, British subjects, and Muhasil, the Chaknawar Mullah, the Badshah of Islampur and others, Afghan subjects.

901. Violations of the Frontier by Aeroplanes.—There were frequent complaints by the Afghan Government that British aeroplanes had crossed the frontier. Careful investigation was made into all of these. In the majority of cases they were found to be unjustified. In others an apology was tendered and disciplinary action, if found necessary, was taken against the pilot.

¹ Kabul Memo. No. 82, dated 30th June 1931 (A. S. XL, 253).

² A. S. LI, 120, 131.

³ Exp. letter to Baln. No. D 5948-F/31, dated 13th October 1931 (A. S. XLII, 52).

⁴ Letter to Bombay, U. P., Punjab and Bihar & Orissa No. D. 6964/32-Pol., dated 5th September 1932 (A. S. XLV, 204).

⁵ Encl. to S. No. (1) in F. No. 191-F/32, paras. 186-188, and encl. to S. No. (1) in F. No. 264-F/33 paras. 215-219.

⁶ Para. 816.

A British aeroplane which had been engaged in war time reconnaissance over Mohmand country made a forced landing in Afghan Territory in June 1930. The pilot and mechanic were well treated by the Afghan tribesmen into whose hands they fell, and were returned unhurt to Peshawar¹. In spite of vigorous propaganda against the return of a machine which had been engaged in operations against Muslims, the Government of Afghanistan allowed the Royal Air Force to send a party to Basawal near Jalalabad, dismantle the machine, and remove it to Peshawar.

A similar courtesy had been extended to the Afghan Government in 1929 when a Russian aeroplane intended for the Afghan Government missed its way to Kabul and made a forced landing in the Kurram Valley.

902. Visits of Russian Diplomatic Representatives near the Indian Frontier.—M. Stark, the Russian Minister, spent three weeks at Jalalabad in the spring of 1932. His visit led to all kinds of rumours of intrigue with British tribesmen and was the source of strong protest by the Agent to the Governor-General, North-West Frontier Province. After considerable correspondence, the British Minister was told to make a formal protest to the Afghan Government. He did so, but the moment was not propitious and the Prime Minister regretted that he could take no action in the matter. The British attitude towards such visits is discussed in greater detail in Chapter XIII, The Bolshevik Menace.

There is some reason to suppose that the Afghan Government encouraged the British Military Attaché to tour in the North in the hope that the Russians would protest, and that they would then be able to demand the cessation of Russian visits to the South as the price of their agreement. The Minister would have had no objection to the Military Attaché's tours being stopped on this ground².

903. Freedom of movement to British Nationals.—To the King and his brothers the Legation was indebted for many courtesies. In 1930 the disturbed state of the country restricted the movements of members of His Majesty's Legation but the progress made in the pacification of the country enabled them in 1931 to move about more freely. Visits paid in 1931 included visits by several members of the Staff to Bamian, 150 miles North of Kabul, in August : a three-weeks tour by the Military Attaché in the Hindu Kush in September : and a tour by His Majesty's Minister, Lady Maco-nachie and the Military Attaché in Kandahar Province in the same month.

In 1932 the Military Attaché carried out two more tours, on both of which he was received with marked hospitality and friendliness by all Afghans, officials and others, whom he met. In the same year a house in Paghman in the hills was placed at the disposal of the Legation by the Afghan Government for the months of July and August, and permission was granted to them to establish a standing camp in the Dara-i-Shikari Valley in September.

From 1932 onwards British officials were permitted to go freely to Afghanistan as guests of the Legation and Afghan Ministers were at pains to welcome them.

In 1933 further tours were made, similar to those carried out in 1932. The same friendly reception was met everywhere.

During 1932 and 1933 a number of European travellers British and others, including ladies, passed through Afghanistan without incident.

Wives of members of the Legation were allowed to go to Kabul in the spring of 1931 and children in the autumn. The Afghan Government attached some importance to this as an indication of faith in the stability of the new régime.

904. Passports and visas.—Considerable inconvenience was caused to British Indian subjects, and especially to His Majesty's Legation owing to delay in the grant of visas by Afghan officials. These delays evoked frequent protests from His Majesty's Minister. When protests failed, mild retaliation

¹ Memo. from C. C., N.-W. F. P., No. 2405-P. C., dated 26th June 1930 (A. S. XXXII, 263).

² Telegram from Minister, Kabul, to F. O., London, No. 107, dated 28th December 1932 (A. S. XLVII, 47).

usually proved temporarily effective. In 1931 the Foreign Minister produced a set of rules dealing with passports and visas, which were sent to the British Government for consideration. The British Government proposed certain modifications, which were communicated to the Afghan Government in April 1933¹. The Afghan Acting Foreign Minister stated in reply that a new code was in preparation, would shortly be passed by the National Council, and would then be communicated to His Majesty's Minister.

905. Postal Agreement.—At the request of the Afghan Government, two delegates were deputed by the Government of India to Kabul in May 1932 for discussion with the Afghan Posts and Telegraphs Department of the measures necessary for the adoption and operation between the two countries of the provisions of the International Post and Telegraph Conventions.² Conversations between the delegates proceeded satisfactorily and terminated in an exchange of minutes embodying their conclusions.

A record of this is to be found in Afghan Series Part XLV.

906. Control of the Press and other forms of propaganda.—The Afghan Press was under close official control, and the Afghan Government found it difficult to understand why similar control was not exercised in India, particularly over those sections of the Press which consistently vilified King Nadir Shah and filled their columns with pro-Amanullah propaganda. The Foreign Relations Ordinance³ of 1931 did not satisfy them as it was only temporary. It was replaced later by the Foreign Relations Act, Act XII of 1932, with which they were more satisfied.

907. Liability to pay Compensation for Raids.—Both Governments admitted their liability to pay compensation for the acts of their subjects in cases in which such liability would have been recognised by the usages of International Law. The following important examples occurred during Nadir Shah's reign :—

(1) The Afghan Government admitted its liability to pay compensation on account of the incursions by Afghan tribal lashkars into the Kurram in 1930.

(2) The Government of India admitted its liability to pay compensation to the Afghan Government on account of the Wazir-Mahsud incursion into Khost in 1933.

In neither of these cases was the offer to pay compensation accepted.

(3) In the preliminaries to the sitting of the Kurram Joint Commission in 1933 both Governments admitted liability for the enforcement of tribal responsibility for border offences⁴.

The general admission of this principle has often been discussed and may involve untold commitments. The necessity for extreme caution in the advance towards it was urged by the Agent to the Governor General, North-West Frontier Province in his memorandum No. 3744-P.C., dated 16th September 1932.⁵ It was Sir Richard Maconachie's opinion in December 1932 that the Afghan Government had not really accepted the principle even though they had on more than one occasion admitted it.

(See also Chapter XIV, Frontier Liabilities.)

908. Deportation.—Either Government accepts the deportation of its own subjects by the other for satisfactory reasons, but expects to be given notice before deportation actually takes place.⁶ An example of deportation from Afghanistan to India occurred in January 1931. Examples⁷ of the opposite are too numerous to require quoting. The Government of India's latest instructions on the subject are noticed in Chapter XV Refugees.

¹ Despatch from Minister, Kabul, to F. O., London, No. 46, dated 24th April 1933 (A. S. XLVIII, 249).

² S. No. (1) F. No. 264-F/33.

³ (A. S. XXXIX, 30.)

⁴ Memo. from Counsellor, Kabul, No. 474, dated 14th July 1933 (A. S. XLIX, 175).

⁵ (A. S. XLV, 261).

⁶ Cf. A. S. XXXIV, 3 and XXXIX, 167-A.

⁷ Telegram to Madras, C. P., Nagpur, No. 100-S., dated 9th January 1931 (A. S. XXXVII 251).

Allied with the question of deportation was the question of expulsion. Political pressure brought to bear on tribes often results in their expelling offenders from their own limits and in these offenders moving across the Durand Line. The British Minister anticipated protests from the Afghan Government over this and raised the matter with the Government of India. The Government of India, while ordering that in future there should be no explicit orders of expulsion, were unable to prevent its continuing to be a frequent result of action taken on the British side of the line.¹

909. Enlistment of Afghan Subjects in the Indian Army, and of British (protected) subjects in the regular Afghan forces.—The Afghan Government had for a long time objected to the enlistment of Hazaras in the Indian Army. This source of friction disappeared when for internal reasons the Hazara Regiments were disbanded in 1932.

The Afghan Government maintained a battalion of Afridis, British Protected subjects. The question of protesting against their enlistment was under consideration by the Government of India at the time of King Nadir Shah's death.

3. FRONTIER AFFAIRS.

910. General.—The assurances given by the Afghan Government with regard to Frontier Affairs² at the time of the grant of material help have already been noticed. They included one to the effect that tribesmen from the Indian side of the frontier would not be summoned to 'jirgas' in Afghanistan; the question of the continuance of the allowances which had been paid by former rulers of Afghanistan to 'British' tribes was reserved for future discussion.

The attitude of Amanullah Khan's Government towards the frontier tribes³ had been one of aggressive nationalism. King Nadir Shah's Government, though repeatedly and emphatically disclaiming irredentist ideas, yet recognised a community of interests between the Afghans and the Pathans of the tribal belt and showed a determination to maintain a practical connection between them and the Afghan throne. There were two main motives for this attitude, one was the fear of an attack on Kabul from the Indian Frontier, which it was believed the Government of India would be unable to prevent. The Afghan Government consequently felt they must do something to 'arrange their own insurance policy direct with the tribes.' The other motive was to be found in a belief that political developments in India would result in the eventual emergence of a North-Western Muslim bloc, a close alliance with which would be to the advantage of Afghanistan. In spite of these difficulties, King Nadir Shah was true to his obligations in giving neither help nor encouragement to enemies of the British rule who sought his aid in Kabul. The various Afridi delegations which visited Kabul in 1930 and 1931 were sent away with nothing but wholesome advice; genuine efforts were made to restrain the Afghan tribes which attacked the Kurram in 1930; Red Shirts delegates appearing among the Afghan tribes were promptly expelled; and firebrands who wanted to raise Jihad were repeatedly brought to Kabul and subjected to judicious restraint.

In January 1932 a conference was held⁴ at Peshawar and attended by the Foreign Secretary to the Government of India, the Chief Commissioner, North-West Frontier Province, the Agent to the Governor General in Baluchistan, and His Majesty's Minister, to discuss methods of dealing with several old frontier problems in the light of the new conditions existing in both India and Afghanistan. On the 29th March, in accordance with the conclusions reached at this conference, His Majesty's Minister discussed with the Afghan Prime and Foreign Ministers the relations of their Government with the tribes on the Indian side of the frontier, and called their attention to the points in which these relations were theoretically incorrect and on practical grounds objectionable.

¹ Memo. to C. d'A., Kabul, No. F-408-F/30, dated 23rd June 1932 (A. S. XLIV, 272).

² (A. S. XXXVII, 248).

³ Encl. to Kabul Despatch No. 11, dated 23rd January 1932 (A. S. XLIII, 134).

⁴ Despatch from Minister, Kabul, No. 13, dated 28th January 1933, para. 212 S. No. (1) in F. No. 264-F/33.

The matters to which particular objection was taken were :—

- (a) The payment of allowances by the Afghan Government to these tribes.
- (b) The summoning of individual members, as well as Jirgas, of these tribes to Afghanistan.
- (c) The grant of civil and military ranks by the Afghan Government to these tribesmen.
- (d) Correspondence between Afghan officials and these tribesmen.
- (e) The employment by the Afghan Government of Khassadars on the Indian side of the line.

At the end of the discussion, which is described in greater detail in Chapter XI, Afghan Dealings with British Tribes, the two Afghan Ministers while admitting that the practices discussed were wrong in principle and harmful to the British Administration, and undertaking to discontinue them as soon as they were in a position to do so, did not at the moment feel strong enough to put a stop to any of them¹.

The Afghan Government concluded agreements with both Persia and Russia for the appointment of permanent "Commissars" for the Joint settlement of Frontier Disputes, and seemed inclined to favour having a similar arrangement on the Indo-Afghan Frontier. The Government of India did not consider the scheme to be practicable², and the British Legation was instructed to temporize in the matter until the success of its working on the other frontiers could be appreciated.

911. The 1930 Disturbances—Frontier Affairs during 1930 were concerned almost entirely with the reaction in Tribal Territory of the Congress and Red Shirt agitation in the five settled districts. A brief account of the course of events is given as follows in the Report on the Administration on the Border of the North-West Frontier Province for 1930-31.

"The year opened auspiciously as far as the trans-frontier tribes, were concerned, with the settlement of the Sunni-Shiah dispute, and there were no indications that in a few months' time the administration would be faced with the most serious crisis which has arisen since 1897.

The unrest in Peshawar District, however, and especially the events in the City on the 23rd April, reacted with extraordinary rapidity and intensity on the border tribes. Within six weeks Peshawar District had been invaded from the West by large numbers of Afridis and threatened on the North by Mohmand and Utman Khel lashkars. Signs of unrest among other frontier tribes were not wanting and certain elements of the Tochi Wazirs and Upper Dauris had already risen and had attacked Datta Khel and Boya Posts.

During July the unrest spread to Southern Waziristan where Sorarogha and Ahnai Posts were invested by Mahsuds. There was little improvement elsewhere. Further attempts were made by hostile Mullahs to raise Mohmand and Bajaur lashkars; the situation on the Kurram border was beginning to cause anxiety and the Khilafat party was rapidly growing in strength in Tirah.

In August a second Afridi attack was made on Peshawar; the Massozai Orakzais and Para Chamkannis rose and attempted to invade the Eastern portion of the Kurram Agency and early in September incursions by Afghan tribesmen occurred on the Peiwar and the Western border of the Kurram about Kharlachi. Meanwhile further lashkars had collected in Waziristan and a serious affray with the Hathi Khel Wazirs had occurred in Bannu District.

¹ Memo. from Minister, Kabul, No. 44, dated 1st April 1932 (S. No. 110, F. 231-F/31).

² Letter to I. O., London, No. F. 28-F/32, dated 30th May 1932 (A. S. XLIV, 209).

During the latter half of September an all-round improvement began to show itself and by the end of October most of the unrest had subsided, both in the settled districts and across the border, the one notable exception being the case of the Afridis, against whom a partial blockade was maintained until the end of the period under report, the Khajuri Plain being occupied by a large force of regular troops".¹

The attitude of King Nadir Shah and his Government was described by the Chief Commissioner as being "of incalculable value." Needless to say, there were many minor complaints from individual frontier officers of alleged interference or encouragement from the Afghan side of the Durand Line, but in the face of this statement it would give an entirely wrong impression to detail them.

912. **Chitral.**—The Dokalim boundary dispute was still open at the time of King Nadir Shah's accession. A settlement which it is hoped will prove final, was reached in 1933. The settlement was important, not merely as removing a long-standing cause of friction between the two Governments but also as silencing the dangerous propaganda against the policy of King Nadir Shah that he lost more than he gained by his attitude of friendliness towards the British.

Details of the settlement are given in Chapter VII, Dokalim and Arnawai (Chitral).

Ghulam Khan Salarzai (British protected tribe) took advantage of the absence of the normal Afghan garrison in December 1928 to occupy the Afghan post of Asmar. He was eventually expelled by Afghan troops, but the Afghan Government, in view of his relationship to the ruling family of Chitral, regarded his raid as having been instigated from Chitral and felt that the Government of India should have prevented it by controlling the Mehtar. They did not however claim compensation.

913. **Mohmand Country.**—The particular enemies of the British Government in Mohmand country with whom the Afghans had dealings were the Haji of Turangzai and his sons, the Mullah of Chaknawar, Muhasil Koda Khel and the Badshah of Islampur.

In 1930 the Haji of Turangzai and his sons wasted no time in using the opportunity given by the Peshawar riots to cause their usual trouble on the Mohmand border. Their efforts to obtain recruits from the Afghan Mohmands were however discouraged, while the Chaknawar Mullah and the Shinwaris were definitely prohibited from taking any part. In June the Chaknawar Mullah was summoned to Kabul and kept there for seven weeks under surveillance; after his return he refused all invitations to join anti-British movements. In August Muhasil was summoned to Kabul and given a lecture on the political inwardness of the Civil Disobedience movement, which proved sufficient to restrain him also. The Badshah of Islampur sent messages of his own accord to Kabul asking if the propaganda against the British was correct and saying that if so he had a lashkar ready to join the Mohmands in Holy War; after receiving a re-assuring reply he remained quiet.

The Mohmand situation did not again have to be seriously tackled until 1932, when a lashkar of Upper Mohmands collected on the 'presumptive border' and threatened the British Mohmands of the Gandab Valley.² A few days later the Upper Mohmands attacked and burnt some villages on the British side of the line, before dispersing across the border.

It was then decided that, in the event of further attacks of this kind, troops should advance up the Gandab valley to the assistance of the Halimzais, and a road be built as far as Ghalanai. In June the Afghan Government were informed of this decision, and when in July the attitude of the Upper Mohmands again became threatening, were asked to take all possible measures to avert another attack by these tribes.

¹ Report on the Administration of the Border of the N.-W. F. P. for the year 1930-31.

² Encl. to S. No. (1) in F. No. 264-F/33, para. 229.

No further incursion in fact took place, but after taking such action as they could the Afghan Government raised the question of their responsibility for the Upper Mohmands, whom they were inclined to regard as independent both of British and of Afghan influence."

The decision that the Halimzai should in future be protected from the attacks of the Upper Mohmands and that in the event of such attacks a road should be constructed through the Gandab Valley was first put into effect in 1933. In July the Upper Mohmands again brought a lashkar against the Halimzai. On 21st July the lashkar was driven off after burning two hamlets and the next day the Gandab was reported clear, but as it was anticipated that the Upper Mohmands might renew hostilities the Government of India decided to send a column into the Gandab and construct a road through the valley. "In discussions of these incidents considerable confusion resulted, as regards the complicity of "Afghan Mohmands", from the fact that by this term the Government of India meant the Mohmands from the west of the "presumptive line", while the Afghan Government meant the Mohmands from the west of the "Durand Line." The latter do not appear to have been concerned in the first attack on the Halimzai, but directly the advance of the column gave their leaders an opportunity for representing that the independence of the whole Mohmand tribe was in danger, they began to move eastwards in support of the Upper Mohmand lashkars. By the 19th August the Prime Minister informed His Majesty's Minister, that, in the face of the excitement caused among the tribes of the Eastern Province by the advance of the column in Gandao, the Afghan Government could no longer restrain the leaders of their tribes."

"The opportunity was taken to bring forward again the question of control in the area between the 'Durand' and 'presumptive' lines. Copies of the voluminous correspondence on this subject had been supplied on the 3rd March to the Prime Minister, who was now pressed to agree that the Government of India should in times of emergency deal direct with the Mohmands of the area, summoning the 'jirgas' in order to settle disputes, and when peaceful measures failed, taking such military action as might be necessary by land or air. Eventually a 'gentleman's agreement' was reached, by which the Prime Minister conceded the essential points, and expressed his confidence that His Majesty's Government would not stretch its terms unfairly in practice. It was to continue in force until the Afghan Government formally assumed control of the area in question.

An article in the "Islah" of the 23rd August gave the Afghan Government's view of these disturbances, which were stated to be the result of a refusal by the Halimzai to give satisfaction for the murder of an Upper Mohmand; the Government of India then went to the support of the Halimzais, thus giving all the Mohmand tribes reason to fear that their independence was being threatened. Confidence was expressed that this fear would be allayed by the withdrawal of Indian troops from Gandao, as if this were not done a serious situation would ensue.

By the middle of September the Upper Mohmands had accepted the Government of India's terms, and the only disturbing factors were Badshah Gul and the Haji of Turangzai, who sent out inflammatory proclamations of holy war. Although it seemed that the main object of these agitators was probably to rebut the charge brought against them by their enemies that they were in the pay of the Government of India, feeling in the Eastern Province was to some extent aroused, and small reinforcements from it continued to join the lashkar. The Afghan Government were asked to exercise a restraining influence within their own

limits, and the movement soon spent its force. By the 23rd September it was reported that all lashkars had dispersed, and that arrangements were being made by the Government of India for the withdrawal of their troops."

The decisions reached with regard to the 'presumptive border' are discussed more fully in Chapter VI "The boundary in the Mohmand Country."

914. **The Khyber.**—In September 1930 His Majesty's Government made known their decision to occupy the Aka Khel and Khajuri plains as punishment to the Afridis for their past offences and as precaution against similar events in the future. Appeals for assistance were at once made by the Afridis to the Afghan Government, which consistently rejected them.¹ By this attitude the King incurred considerable odium among the frontier tribes, and the propaganda against him became intensified when his acceptance of arms and money from the Government of India became known. It was therefore not surprising that the Afghan Minister in London made a representation to His Majesty's Government in London urging moderation.² "The language used by the Minister clearly showed that the Afghan Government had been led to expect far more drastic action than the protective measures which have been actually sanctioned, but even these have led to renewed appeals for assistance from the Afridis, and made it increasingly difficult for the Afghan Government to justify their policy to their subjects." Throughout the following year delegations and deputations continued to reach Kabul, and every month which passed without a settlement made the problem of maintaining a correct attitude more anxious and delicate. The news of the settlement of 3rd October 1931 was therefore received with relief.

All through their dealings with the Afridi deputations the Afghan Minister kept Sir Richard Maconachie fully informed, and discussed frankly with him the line they should take.

The Afghan Government had for many years maintained an Afridi battalion in the Eastern Province. As a result of desertions and sickness it was much below strength. Increased efforts for enlistment were made in 1932 and 1933, especially after the mustering out of Afridis from the Indian Army, but these had no important results. The Government of India had felt for some time that the recruitment of this battalion was undesirable but was unable to protest so long as Hazaras (Afghan subjects) were enlisted in the Indian Army. The matter was under consideration again shortly before King Nadir Shah's assassination, the Hazaras having by that time been disbanded.³ For various reasons it was not found advisable to protest.⁴

915. **The Kurram Valley.**—The two most important events of the period on the Kurram border were the attack on the Valley by Afghan tribes in 1930, and a satisfactory Joint Commission in 1933.

The attack on the Kurram Valley was one of the re-actions of the internal disturbances of 1930. Mangal lashkars returning from the service of King Nadir Shah in the Koh-i-Daman Valley were persuaded by Khilafatist Agents that money was being, and would be, paid by the British authorities to buy off impending attacks.⁵ The lashkars threatened the Kurram, delivering prolonged and determined attacks from August 17th to September 13th, when owing partly to discouragement at their failure and partly to the influence of jirgas sent from Kabul they finally dispersed. Local Afghan officials had all this time exercised their best efforts to restrain them, but without the slightest effect. Repeated representations were sympathetically received, orders in unmistakeable terms were issued, jirgas were sent from Kabul, and the local officers were re-inforced both with money and with arms. That the efforts of the Afghan Government were not more successful was due not to

¹ Cf. Express Letter from Norwef, Peshawar, No. 527-P. S., dated 6th February 1931 (A. S. XXXVIII, 18).

² A. S. XXXVII, 248, para. 142 and A. S. XXXV, 294 and A. S. XXXVI, 111.

³ Letter from N.-W. F. P. Govt. No. 345-P. S., dated 22nd February 1933 (A. S. XLVII, 222).

⁴ D. O. to Governor, N.-W. F. P., No. F. 231-F/31, dated 5th April 1933 (notes page 58 in F. No. 231-F/31).

⁵ A. S. XXXVII, 248, para. 143 and A. S. XXXIV, 279A.

any lack of good-will on their part but to the many factors already noticed, which had so far prevented them from establishing their authority in the Southern Province.

On September 13, after repeated warnings, the Afghan Government were informed that with effect from September 16 the British forces in the Kurram would be free to cross the Afghan frontier, should the local situation make this necessary, and take such measures as might be necessary within a distance of five miles from the border to disperse the Afghan lashkars.¹ This possibility alarmed the Afghan Government, who represented that action of the kind proposed would give a great impetus to fanatical propaganda and might even start a 'holy war' along the whole frontier.

They had already seen how similar action by a Russian force had popularised the cause of Ibrahim Beg, and raised him from a raider to a leader of rebellion.

Convinced of this danger they made strenuous efforts, not indeed to establish effective control over the offending tribes, but to induce them by moral suasion to keep the peace.

Under the orders of His Majesty's Government a demand was made for the payment of compensation at the customary rates, but on an admission of liability by the Afghan Government, and a representation by them that compliance with such a demand would increase their difficulties, its enforcement was waived².

Upon the settlement of this question the Afghan tribes were permitted to enter the Kurram freely and the only further incidents which occurred before the close of the year were the firing of some shots by Mangals at Kharlachi village in December, and the murder about the same time by raiders of three Kurram villagers near the Southern border of the Agency.

The establishment of an emergency post on Satunai Sar, just south of the Peiwar Kotal, and at a short distance from the actual border, was disliked by the Afghan authorities who represented that it caused resentment among the tribes, and rendered the task of keeping them under control more difficult. In reply the Afghan Government were informed of the purely defensive character of this post, the retention of which it was hoped would prove unnecessary as soon as normal conditions were restored.

The situation in 1931 was little better. "The first three months of the year were quiet, but in April raids by Afghan Mangals and Muqbilis were reported, while complaints were received from the Afghan Foreign Office of offences by Kurram tribesmen. The Afghan Government were warned of the serious consequences likely to ensue if such raiding was allowed to continue and in August were invited to depute the administrator of the Southern Province to meet the Political Agent for the settlement of existing feuds, and the conclusion of a truce between the Afghan and Kurram tribes. This proposal was accepted in principle, but during the long interval which habitually occurs in Afghanistan between agreement and action matters grew worse. On the 10th September nine Turi traders and a Hindu were massacred on the Peiwar by Afghan raiders and a few weeks later the Turis retaliated by killing a Ghilzai and two Jajis in Afghan territory.

The Administrator eventually met the Political Agent on December 10, and six days later an agreement was concluded providing for the maintenance of friendly relations between the Afghan and Kurram tribes, and the amicable settlement of cases which had arisen between them since the accession of King Nadir Shah, or which might arise in future.

In view of the local situation, Satunai Sar post had not been evacuated by the end of the year."³

For the next few months the truce thus arranged was observed by both sides, and the post at Satunai Sar was withdrawn on 5th March 1932. The

¹ Telegram from Minister, Kabul, to F. O., London, No. 142, dated 14th September 1930 (A. S. XXXV, 149).

² (A. S. XXXVI, 196, 296 and XXXVII, 38.)

³ Annual Report 1931, paras. 204-206 (A. S. XLIII, 134).

opportunity was taken at the same time to point out to the Afghan Government that certain of their works in the Peiwar area infringed the Durand line. No progress was however made towards the appointment of a Joint Commission, and in July 1932 the feuds between the Kurram tribes and their Afghan neighbours again broke out. During the last six months of the year fourteen raids and counter-raids were reported to have occurred.

Raiding, though on a less extensive scale, continued into the middle of 1933, when the long-overdue Joint Commission at last assembled. ¹“The delegates representing His Majesty’s Government were Captain Ross Hurst, Political Agent, Kurram, Captain Shah and Khan Sahib Agha Sardar Ali, and those of the Afghan side Haji Nawab Khan, and Abdul Jabbar Khan. The Commissioners met on the 6th June, and the proceedings lasted until the 19th July, with the result that all cases outstanding since the accession of King Nadir Shah were investigated and decided to the satisfaction of the parties, earlier claims having been cancelled by mutual consent; the truce was renewed; and agreed conclusions were reached in questions connected with outlaws, the abduction of women, territorial responsibility in cases where offenders were not identified, and the rates of compensation to be followed in future.” As a result of the decrees passed by the Commissioners a balance of Rs. 18,038 Kabuli was payable to Kurram tribesmen, together with three rifles recoverable from the Afghan Government, whose approval of the various agreements had also to be obtained².

The outcome of this Commission marked a definite advance in co-operation between the two Governments in matters relating to their common frontier.

(See also Chapter XIV Frontier Liabilities, Claims, and Joint Proceedings.)

916. Waziristan.—Most aspects of Afghan relations with the tribes of Waziristan on the British side of the Durand Line are discussed in Chapters XI Afghan Dealings with British Tribes and XIV Refugees. For a general survey it is enough to say that, while maintaining a connection, the Afghan Government most certainly did nothing throughout the whole period of King Nadir Shah’s reign which could possibly be described as stirring up the tribes against the British. Had they done so during 1930, the consequences would have been serious, but so far from this it was reported in June that the agitators were bitterly hostile to Nadir Shah and were professing an intention to produce a son of Amanullah as their leader. In August lashkars were reported to be mustering in Khost for attacks on Miranshah and Datta Khel, but they dispersed without taking action and no Afghan tribesman participated in the Waziristan disturbances.

Conditions on the Waziristan border in 1931 and 1932 remained quiet, but in 1933 there were developments of permanent importance. These arose out of the efforts of a group of agitators to raise the Pathan tribes against the Government of King Nadir Shah. These agitators had been working in concert with Dauran Khan, the agent of Amanullah Khan, and Ghulam Nabi, whose intrigues among the Zadrans had led the Dare Khel section to revolt. ³“The opening of the year found the Dare Khel lashkar broken up by the Minister of War’s attack, and the agitators in hiding close to the Indo-Afghan frontier. They were soon discovered to have taken refuge at Anati, a village in the North Waziristan Agency, about a mile on the Indian side of the frontier.” In response to an urgent representation by the Minister of War to the British Minister at Kabul, the British frontier authorities arranged to send a force of Madda Khel tribesmen against Anati, from which the agitators retired into Afghan territory. “The houses in which the agitators had taken refuge were burnt, and the tribal force withdrew. Its retirement was followed up by Afghan tribesmen who caused one casualty. King Nadir Shah sent a message of gratitude for this action to the Government of India.”

¹ S. No. (1) in F. No. 254 (Secret)-F/34, para. 269.

² (A. S. L. 285, L. 285.)

³ S. No. (1) in F. No. 254 (Secret) F/34, para. 236.

As it appeared next that the agitators were dodging from one side of the frontier to the other, arrangements were made to round them up by joint action between a force of tribesmen from the British side of the Line and Afghan troops. The Afghan commander failed to co-operate, and these arrangements were unsuccessful.

In the middle of February there was a sudden change in the situation. A report on the 14th showed that some thirty Mahsuds had left their homes for Khost to join the agitators. Their numbers swelled rapidly, and by the 19th were between 4,000 and 5,000. Political action by the British authorities failed to check the movement, and a military cordon was established on a line from Arawali in the Kurram to Datta Khel in North Waziristan. "On the 25th fighting was reported to have occurred between the Wazir Mahsud lashkar and local Afghan levies, resulting in the capture by the former of a small military post south of Matun. The next day the lashkar reached Matun, and came into collision with Afghan regular forces. Reinforcements for it were reported to be arriving from both Wazir and Mahsud territory, and passing into Khost beyond the western end of the cordon at Datta Khel."

"On the 26th February the lashkar was repulsed with some casualties by the Matun garrison, but a few days later its strength was estimated to have risen to 10,000, and the attack on Matun was renewed.

The situation was now critical. The fall of Matun, which seemed imminently probable, would have attracted further reinforcements to the lashkar, and shaken the prestige of King Nadir Shah's Government to such an extent that a general rising of the tribes of the Southern Province might have followed. It was extremely doubtful whether, in that event, the movement would not have spread to other Provinces.

On the 8th March the officiating Governor of the North-West Frontier Province proceeded to Waziristan by air, and the next day at jirgas held at Wana and Sararogha gave the Mahsuds an ultimatum, which allowed the lashkar five days in which to retire from Khost, before force was employed against their homes in Waziristan. The tribes were now convinced that the Government of India were in earnest. The movement at once collapsed, and by the evening of the 12th March the lashkar was reported to be definitely dispersing.

In Mr. Cunningham's report on this incursion the casualties suffered by the tribal lashkar were estimated at approximately 24 killed and 19 wounded. The Afghan reports of course gave far higher figures. The loss caused by the lashkar to life and property in Afghanistan were not ascertained, but from information obtained at Kabul seem to have been about 60 among the Afghan regular troops, and 80 among the Khost levies. Over 100 rifles were reported to have been captured from the Afghan Government forces in a single engagement by their disloyal Wazir militia."

The situation inevitably recalled to the Afghan mind the events of 1930 in the Kurram, when the British Government had described the incursion by Afghan tribes as a 'gross lapse from the observance of ordinary international responsibility' and had made a strong protest to the Afghan Government. The Afghan Government regarded the incursion into Khost as far more serious, both as regards the depth of penetration, the number of the invaders, and the loss caused. It was made, moreover, as they considered, from an area in which the British Government were established in considerable military force. They therefore regarded the failure of the British authorities to prevent it with the coldest suspicion, and seemed at one time even to doubt if it had not been deliberately encouraged. The action of the Government of India in confiscating a large number of rifles from the Waziristan tribes, some permanently as a punishment and some for a term of years as security, did something to

remove those suspicions. “¹On the 4th April His Majesty’s Minister, in accordance with his instructions, tendered a formal expression of the regret of His Majesty’s Government for the incursion, and stated the willingness of the Government of India to pay compensation in accordance with the precedents of Amanullah Khan’s reign. The reply sent on the 6th August to this letter was couched in cordial terms, but the note of suspicion was still traceable in the refusal of the offer of compensation, on the ground that the arrest of the agitators was considered a more important matter.”

“²On the 6th May Sir R. Maconachie was received in audience by King Nadir Shah, and a frank discussion of the whole affair seemed to clear the air. His Majesty stated that he personally had never doubted the goodwill of His Majesty’s Government and the Government of India.”

At the end of August a fresh movement of Mahsuds and Wazirs into Khost suddenly began. “³Whether this movement might have developed into a repetition of the previous incursion it is impossible to say, since no risk was taken of it doing so. The relatives of those who had left for Khost were immediately arrested, the house of their leader was destroyed, and a march made by the Razmak Column through the affected area. The movement collapsed immediately, and its leaders surrendered.”

During October the ‘Lewanai Faqir’, one of the principal agitators surrendered to the Afghan Government. He was granted a pardon in Kabul and retained there under surveillance.

Another, known as the Tor Malang, was captured by Afghan troops in Khost, and was executed in Kabul. Three of his chief supporters who were captured with him were sent for execution to Khost. The third of the principal agitators, known variously as Pak (‘the bald’) Hafizji and ‘The unknown individual’ remained at large.

917. Bajaur.—Before the disappearance of its leaders from Waziristan, the agitation had produced an offshoot in Bajaur, which proved to be troublesome. The ‘pretender’, as he was generally called, was first reported in May 1933 to have appeared in Bajaur calling himself an emissary of Amanullah Khan. He at first showed little sign of becoming dangerous, and the Government of India tried to comply by political action with the Afghan Government’s request either for his arrest and removal from the frontier or for such action as would result in his seeking refuge in Afghan Territory. Political action did not produce the desired effect. Accordingly, after due notice, Kotkai, in which he had been living, and the surrounding hamlets, were bombed from the air and totally destroyed.

“⁴As this step did not immediately effect the surrender of the agitators, the Government of India prepared to send troops into Bajaur. On the 13th August however the Kotkai ‘pretender’ now identified as Ghulam Dastgir, was expelled from Bajaur, and after a few days retired to Upper Mohmand country. At the same time his associate Mirza Mohammad Tahir, was reported to be in negotiation with the Afghan Government, and on his way to Kabul. On the 4th September Mirza Muhammad Tahir surrendered to the Afghan authorities, and received a pardon. Ghulam Dastgir followed his example in November.”

The action taken by the Government of India in bombing Kotkai had thus achieved the object for which the Afghan Government had asked. On the other hand the suggestion made in the Indian Press that the bombing had been undertaken at the Afghan Government’s specific request, and the wording of the bombing notices stating that action was being taken because of the relations of friendship existing between the two Governments, gave renewed opening for propaganda against King Nadir Shah. The Afghan

¹ S. No. 1 in F. No. 254-F/34, para. 246.

² *Ibid.*, para. 247.

³ *Ibid.*, para. 249.

⁴ *Ibid.*, para. 255.

Government were greatly relieved when the project of a military expedition into Bajaur, which would have still further increased their difficulties, was finally abandoned.

918 **Baluchistan**.—A number of incidents in which issues of importance were raised took place on the Baluchistan border.

On June 5, 1930 Major Farley and Captain and Mrs. Frere were kidnapped by a gang under the leadership of Mullah Khair Muhammad Achakzai, and taken into Afghan territory. On receipt of the news of this outrage, orders were issued immediately by the Prime Minister to the Kandahar Government to take urgent measures to effect the release of the captives. This was arranged by negotiation with the gang through the Afghan Frontier Officer and the two officers and Mrs. Frere reached Chaman safely a few days after their capture.¹

As a result of an enquiry held by the Kandahar Government Mullah Khair Muhammad was found guilty of the offence and imprisoned.² He was later released and given a reward for his share in securing the captives' return.

Facilities were given by the Afghan Government to His Majesty's Legation for discussions with Muhammad Anwar Khan an Achakzai chief who, according to Baluchistan intelligence, was also implicated in the affair, and on December 19 he surrendered himself at Chaman for trial. He was found 'not guilty' by the jirga by which he was subsequently tried.³

On September 19th, 1930 a Gurkha soldier was murdered close to the Afghan boundary near Chaman. The Afghan subject believed to be responsible was arrested by the Kandahar Government in November, and might have been handed over but for the Afghan authorities taking offence at the wording of the Indian Assistant Political Officer's request for their intervention. His 'maliks' paid the fine demanded on account of the offence after pressure had been brought to bear on them by 'barampta'.

The Government of India agreed with the Afghan Government that the tone of the Extra Assistant Commissioner Chaman's letter to the Hakim of Spin Baldak had been objectionable, and tendered an apology through His Majesty's Minister at Kabul.⁴

In October 1930 the Afghan Government returned to the Baluchistan authorities 17 rifles and equipment which they had recovered from certain Afridi deserters from the Baluchistan Police.⁵ In accordance with precedent the Government of India had not asked for the persons of the deserters, but only for their equipment.⁶ The Baluchistan authorities were able to return the compliment in September 1931 by handing back the equipment of two Afghan deserters who arrived at Hindubagh.

"On the 3rd July 1931⁷ a lashkar of Afghan tribesmen raised by Mullah Kamran and Sher Jan, and consisting mainly of Suleman Khels and Kharots, attacked Ashewat Post, but were driven off with some twenty casualties; the Zhob militia losing one man killed.

The reasons for this sudden outbreak are obscure, and the reports on the point somewhat confusing. It was at first believed that the cause was to be found in the depreciation of the Kabuli rupee, and the resentment felt at the construction of the road from Tanai in the South Waziristan Agency to Gulkach in Zhob. Both these matters had been made the subjects of communications to the Baluchistan authorities by the leaders of the lashkar,

¹ Letter from Baluchistan, No. 362-S., dated 13th June 1930 (A. S. XXXII, 165).

² A. S. XXXVII, 248, para. 147.

³ Memo. from Baluchistan, No. 3151-P., dated 13th May 1931 (A. S. XL, 28).

⁴ S. No. 31 in File No. 583-F/30.

⁵ A. S. XXXVI, 125.

⁶ Telegram from Baluchistan, No. 4123-P., dated 3rd September 1930 (A. S. XXXV, 15).

⁷ A. S. XLIII, 134, para. 216 also see XLI, 98.

and when representations were made to the Afghan Government on the subject of this outrage, they at once connected it with complaints received by them from the Suleman Khel Jirga regarding the Tanai-Gulkach road. Later however it was considered that this was not the real grievance.

In response to the protests made by His Majesty's Government, the Afghan Government, took energetic action, with the result that Mullah Kamran and Sher Jan professed repentance, and gave deeds undertaking to keep the peace in future.

Sher Jan Kharot and "Khalifa" Kamran were again responsible for the most serious disturbances on the Indo-Afghan border in 1932¹. After the attack on Ashewat post in July 1931, they had been summoned to Kabul by the Afghan Government, and pardoned on professing repentance, and undertaking to keep the peace in future. On return to the Baluchistan frontier, however, finding that they were prohibited from entering India, they indulged in menacing letters to the British authorities. Towards the end of February 1932 an attack, in which three nephews of Kamran were reported to have been implicated, was made on some road labourers of whom one was killed. In answer to his enquiry as to the conditions on which he would be allowed to enter India, Sher Jan was informed in a letter from the Political Agent, Zhob that if he did so he would be liable to arrest and trial for murder and robbery. On the 26th March Sambaza post was threatened by a small lashkar of Kharots and Suleman Khel under Gul Jan, the brother of Sher Jan, which cut the water supply, but was eventually beaten off. In this affair the Zhob Militia lost three men killed and two wounded, while the lashkar had one or two men killed.

During the early summer Sher Jan and Kamran were reported to be renewing their efforts to raise a lashkar for an attack on a British post on the Zhob border. These efforts however failed, apparently owing to the opposition of certain mullahs of Katawaz, and in August the two leaders appeared in Kabul. After receiving a warning from the Afghan authorities, who regarded the attack on Sambaza post as immediately provoked by the threatening terms of the Political Agent's letter, they returned to their country, and eventually received permission to enter India on payment of a joint fine of Rs. 1,000."

In 1933 further fighting took place as a consequence of the Government of India's decision that nomad Suleiman Khel Ghilzais should be disarmed, on their annual migration into Baluchistan limits, on a line nearer the frontier than that previously prescribed. Rumours were at once put about that the proposed disarmament would be used to compel the Ghilzais to submit loyally to King Nadir Shah. Propaganda to the effect that the Government of India was in league with the Afghan Government against the Ghilzais "was especially rife at the beginning of October,"² and on the 11th of that month a lashkar of Suleiman Khel and Kharotis attacked the temporary post of Nimparao, which had been established for the enforcement of the disarmament order. The casualties inflicted on the Zhob militia amounted to ten, half of these being killed, while the tribesmen were believed to have had six killed and eight wounded. Among the killed was Sherjan Kharot, who had been implicated in the attacks on Sambaza post in 1932 and Ashewat post in 1931. As the present raid was considered to have been in part the outcome of the new disarmament order, no claim for compensation was made to the Afghan Government, who were merely asked to restrain their subjects from causing further disturbances."

¹ Annual Report for 1932, S. No. 1 in F. No. 264-F/33, paras. 252-253.

² Annual Report for 1933, S. No. 1 in F. No. 254-F/34, para. 276.

D. EXTERNAL AFFAIRS—II.—FOREIGN RELATIONS WITH OTHER COUNTRIES.

919. **Russia.**—Afghan relations with Russia throughout the period were outwardly correct but in fact cold and suspicious. The unfriendly atmosphere at the beginning of King Nadir Shah's reign has already been noticed. Matters were made even worse in the first few following months by the murder of the Afghan Consul-General at Tashkent¹ and by such tactless acts on the part of the Russians as the bringing of a notorious revolutionary to Kabul in a Russian aeroplane and thereby flouting the Afghan Government's wishes and passport rules, the arrest in Soviet Territory of M. Issakhar Khan who was a personal friend of the King and was on his way to Kabul, the violation of the Afghan Northern Frontier by Russian troops in pursuit of a raider,² and by frequent and open disregard of all kinds of Afghan prejudices.

The main problems which came under discussion between the two Governments were :—

- (i) A Neutrality Pact.
- (ii) A Commercial Treaty.
- (iii) The Kabul-Termez air Service.
- (iv) The appointment of permanent commissioners for the settlement of local disputes on the Frontier.
- (v) The reorganisation of postal and telegraphic services between the two countries.
- (vi) Refugees from Russia to Afghanistan.
- (vii) Locusts.

920. **A Neutrality Pact** was signed on 24th June 1931 and contained, in addition to the provisions of the old Pact of 1926, a stipulation for the prevention by either party in its own territory of such activities 'from all sources' as might cause political or military injury to the other party, and a denial of the existence of secret agreements with neighbouring powers.

921. **No Commercial Treaty** was signed during the reign. Negotiations dragged on all through 1931 and until August 1932. After the failure of their attempts to renew negotiations in this matter, the Soviet authorities settled down to make the most of such openings for penetration as might be afforded through the Ashami Company. At the close of Nadir Shah's reign an agreement was under negotiation for the exchange of an annual quota of 'Persian lamb' against Russian sugar and petrol. Russian petrol was put on sale in Herat at half the price at which petrol from India was being sold in Kabul.

922. **The Kabul-Termez-Tashkent Air Service.**—As mentioned in Paragraph 873 Russian aeroplanes continued to operate on the Kabul Termez Tashkent route as an irregular private service for the use of the Soviet Embassy, despite the fact that the Afghan Government consistently refused to renew the agreement which had been signed in the previous reign. The Russian excuse for continuing to use the air route was the lack of a motor-road between Kabul and Mazar-i-Sharif.

923. **An agreement for the appointment of Commissars for the Settlement of Frontier disputes** was reached in September 1932. It was effected at the instance of the Afghan Government on the lines of the agreement previously concluded with Persia (para. 928). The Commissars do not seem to have settled any disputes of importance either in 1932 or in 1933.

924. **The regulation of postal, telegraphic and wireless Services** between the two countries was effected by agreements signed in April 1932.³ "These were mainly technical in character, and designed to give effect to the International Post and Telegraph Conventions. A clause in the protocol appended to the Postal Agreement is stated by the Foreign Minister to aim at the closure

¹ Telegram from Minister, Kabul, to F. O., London, No. 201, dated 20th November 1930 (A. S. XXXVI, 281).

² Telegram from Minister, Kabul, to F. O., London, No. 84, dated 23rd July 1930 (A. S. XXXIII, 176).

³ S. No. 1 F. No. 264-F/23, para. 139.

of the Kabul-Termez air service on completion of the road to the north, and the third clause of the Telegraph and Wireless protocol cancels Amanullah Khan's agreement, which provided for the transmission of State telegrams free of charge and the employment of Russian operators in the Kabul Wireless Station."

925. Refugees.—There was a continuous influx of refugees, both Muslim and non-Muslim from Russia into Afghanistan. The Soviet authorities suggested repeatedly that a joint commission of the two Governments should meet to consider the question, but the Afghan Government, unwilling to forego their own liberty of action, would not agree to this proposal. In the autumn of 1932 the Afghan Government decided to put most of the non-Muslim refugees out of the country. Some were sent to India, where the Indian Government permitted them to find temporary asylum, some were given their travelling expenses to Europe, and some were put across the frontier into Chinese Turkestan. The Afghan Government felt, not unreasonably, that they were fulfilling the dictates of humanity by receiving and maintaining thousands of Muslims from Russia, and that it was for the European Governments to look after the others.

By 1933 the problem of the numbers arriving became acute, and the Cabinet decided that no more refugees of any kind were to be admitted, and that of the refugees already in Afghanistan, Muslims who wanted to remain would be allowed, though not encouraged, to do so, European Russians would be deported to Sinkiang, and Jews would be required to leave for any other country they might select.

925A. The movement of **Locusts** was in the other direction, from Afghan Territory to Russian. The Russian complaint was that they bred in Afghanistan and moved North to commit their depredations. Late in 1932 the Afghan Government unwillingly agreed to the appointment of a Russian mission of a half-a-dozen specialists and twenty subordinates to superintend the destruction of the Afghan locust in its breeding area. The mission was reported to be showing considerable activity in other directions than its purely official functions, and was regarded with grave suspicion by the Afghan authorities.

925B. The King and his Ministers were throughout nervous of Russian intentions towards Afghanistan, fearing both open military aggression, the secret fostering of a rebellion against themselves, and the penetration of their country by economic pressure or subversive propaganda. They had no faith in Russian observance of treaty obligations, and derived not the slightest satisfaction from the new clause in the Neutrality Pact. Their fears in these respects were detailed to Sir Richard Maconachie in interviews given on 22nd April 1931,¹ 17th September 1931,² 29th March 1932³ and on many other occasions. The British Government was not willing to give them any specific guarantee of military support against Russia, but authorised replies to their questions from which it was clear that an unprovoked attack by Russia on a friendly Afghanistan would not be taken by the British Government lying down.⁴ (See para. 936 below).

926. Movements of Russians in Afghanistan.—In January 1932⁵ a collision occurred between the garrison of an Afghan post on the Oxus and some Soviet troops who were pursuing a party of fugitives into Afghan territory. The Soviet Embassy was reported to have tendered a formal apology for this violation of the frontier, but for some days the Afghan Government were evidently apprehensive as to the possible outcome of the incident.

Three Russian aeroplanes which visited Kabul in the autumn of 1930 on a "propaganda flight", were given no official recognition by the Afghan Government, although the French Haardt Expedition which arrived the following June was given a reception by the Foreign Office.

¹ Despatch from Minister, Kabul, to F. O., London, No. 50, dated 24th April 1931 (A. S. XXXIX, 222).

² Despatch from Minister, Kabul, to F. O., London, No. 121, dated 19th September 1931 (A. S. XLI, 298).

³ Despatch from Minister, Kabul, to F. O., London, No. 48, dated 31st March 1932 (A. S. XLIV, 81).

⁴ A. S. XLVI, 229.

⁵ S. No. (1) in F. No. 264-F/33 (Confidential) para. 192.

M. Stark, the ambassador, tried to maintain that he and his staff were entitled to tour the country without giving notice of their intentions to the Afghan Government. Their frequent attempts to slip away and do so were always defeated by their being put under the strictest surveillance in the name of protective arrangements. M. Stark and his wife spent a fortnight at Jalalabad in the spring of 1932. Their visit gave rise to all kinds of rumours of interference with British tribesmen.

927. Turkey.—A marked feature of Afghan policy during King Nadir Shah's reign was the decline of Turkish influence. Amanullah Khan's father-in-law, by whom he was always considerably influenced, was strongly Turco-phile. Amanullah's administrative code was prepared under Turkish guidance, he had a Turkish Military Mission in Kabul, his reforms were intended to be modelled on those already introduced in Turkey, and there is reason to believe that he had concluded a secret agreement with the Turkish Government by which no military instructors other than those of Turkish nationality were to be employed in Afghanistan. King Nadir Shah avoided having the Turkish Military Mission back into the country and refused to allow either Turkey or any other nation a monopoly in any branch of his administration. His cancellation of Amanullah Khan's administrative code, the re-introduction of the veil, and the recall of Afghan girls from Turkey further advertised the new Government's refusal to follow Turkey along the line of progress.

The Turkish Ambassador, Hikmat Bey, did not present his credentials to the new King until eight months after the latter's accession. In 1931, shortly after the appointment of German and Italian instructors for the infantry and artillery schools and the ceremonious openings of these schools, Hikmet Bey, who really had no work at all to do, announced his intention of shortly going on leave and hinted that he would not return. He departed on 29th February 1932 to take up an appointment as Secretary to the Presidency in Angora, leaving the embassy in charge of a Secretary, Sadullah Farid Bey. The latter remained in charge for twenty-one months, and succeeded in effecting a compromise with regard to the Military Mission whereby the Afghan Government agreed to receive a Turkish captain, a doctor, a dentist and two midwives. The Captain arrived at Kabul in September 1933 and was appointed an instructor in the Military College. A new Turkish Ambassador was appointed in January 1933 but did not reach Kabul until November and had not presented his credentials to King Nadir Shah before the King was killed. By that time the number of Turkish subjects in Kabul had begun to increase, and comprised 8 doctors (including one lady), a dentist, two nurses, and six employees of various other Government Departments. Dr. Rivqi Bey, the head of the Civil Hospital was high in favour with King Nadir Shah and the new Sanatorium bore his name.

928. Persia.—Relations with *Persia* made little progress during the period. The two principal problems were those of raiding from Afghanistan across the Persian Frontier and of irrigation from the Helmand. There was an improvement in the raiding situation during 1931 and an agreement was concluded for the appointment of permanent Commissars for the settlement of frontier disputes. A Joint Commission was appointed in the same year to consider the question of irrigation from the Helmand, and another in 1932 to consider a dispute over the alignment of the Frontier in a certain area. Neither of them reached any satisfactory conclusion.

929. France.—In addition to her diplomatic representatives *France* had an archaeological mission in Afghanistan most of the time and also a number of poorly paid and rather long-suffering school masters in Afghan Government employ. King Amanullah had paid £80,000 to the French Vimar syndicate for the erection of a Wireless Station in Kabul. King Nadir Shah's Government attempted first to enforce completion of the contract and then to recover the money, but the attempts proved fruitless and the French Government disclaimed responsibility for the transaction.

930. Germany.—German interests in Afghanistan were almost entirely commercial. The outstanding question was the liquidation of the credit of six million marks granted by the German Government to King Amanullah, against much of which machinery had been bought in Germany and delivery given in Afghanistan. The German Government at first refused to send a Minister to Kabul until some agreement was reached for the liquidation of this credit. A basis for negotiation was found late in 1930, the German Government considering the extension of the period allowed for repayment and the Afghan Government the possibility of allowing the Deutsche Afghansche Company to erect the machinery and work it themselves until the balance of the debt was cleared off. Herr Schworbel was appointed Minister and arrived in Kabul in May 1931. Deliveries of goods from Germany continued to be made against the credit without any cash changing hands, and it was believed that the terms for extension of the period of re-payment included provision for the employment of German personnel by the Afghan Government. In 1932 and 1933 considerable progress was made towards liquidation of the debt. By the end of 1933 it was believed that not more than one-and-a-half million marks remained outstanding.

The German colony increased steadily in numbers. In 1933 it totalled twenty-five, in addition to the Staff of the Legations and ladies. Of these ten were teachers in the Amaniah School, ten were employed by the Afghan Government in various capacities, and five were in private business.

The year 1933 was a bad one for German interests, owing to close connection between Germany and the assassins in the three outrages of the year—the murder of the Afghan ambassador in Germany, the murders in the British Legation, Kabul, and the assassination of the King.

“A difficult question¹ arose between the German and Afghan Governments in regard to the extradition of Said Kemal, the murderer of Sardar Mohammad Aziz in Berlin. After protracted wrangling over the legality, under the German code, of extradition proceedings in a case of murder committed in the precincts of a foreign Mission, the German Government at length agreed to grant extradition of Said Kemal, but declined to do more than hand him over to Afghan custody at a German port. The practical difficulties of chartering a ship to bring him from Hamburg to some port in the neighbourhood of Afghanistan, and of arranging his removal from that port to Kabul, so forcibly impressed the Afghan Ministers that they then mooted the possibility of admitting German jurisdiction, on the distinct understanding that a capital sentence was guaranteed by the German Government. Dr. Ziemke naturally refused to entertain this suggestion, and by the end of the year the negotiations had reached no definite conclusion.”

931. Italy.—The Italian Minister did not reach Kabul until March 1931. A few Italian subjects obtained employment in Kabul, the most important of whom were an Engineer and two Artillery Instructors. The latter were in high favour with the Afghan Government, but there was a hitch in the supply of artillery material from Italy owing to the refusal of the Italian Government to deliver against credit.

Afghanistan's principal interest in Italy lay in the choice of that country for his residence by Amanullah Khan. The Afghan Government were constantly pressing for closer censorship and stricter control of his movements than the Italian Government were willing to give.²

932. Middle Eastern Countries.—Friendly relations were maintained with the Hedjaz and Iraq.

933. Japan.—The rapprochement with Japan was one of the features of the period. A treaty was first signed in 1930, but it was not till 1933 that

¹ S. No. (1) in F. No. 254-F/34 (Secret), para. 303.

² Despatch from Minister, Kabul, to F. O., London, No. 4, dated 9th January 1934 (A. S. LII, 73).

the effect of this began to make itself felt. In April of that year "Colonel T. Ide, the Japanese Military Attaché in India, spent a week at Kabul, and was followed in July by Mr. Nomura, a representative of the Japanese Foreign Office, who seems to have been at rather unnecessary pains to conceal his status in India. Two or three other Japanese visitors appeared towards the end of the year, but these were perhaps, as they said, only commercial agents.

On the 7th September Sardar Habibullah Khan Tarzi left Kabul to take up his appointment as Minister at Tokio, and it was announced that a Japanese diplomatic representative would be sent to Kabul as soon as budget provision had been made for his salary in the next financial year. Direct communication with Tokio was explicitly stated by the Afghan Government to be one of the specifications required for the new wireless station which it is proposed to erect at Kabul."¹

934. Miscellaneous.—Treaties were concluded with Latvia, Estonia, Lithuania, Finland and Brazil. These treaties were of little practical value, but the interest of the first four lies in the fact that the countries concerned are neighbours, and so presumably enemies, of Russia.

E. POLICY OF THE BRITISH GOVERNMENT AND THE GOVERNMENT OF INDIA TOWARDS AFGHANISTAN.

935. Proposed Air Service.—The general policy of friendliness towards Afghanistan has been several times mentioned and is sufficiently obvious from the preceding paragraphs. There are two questions of policy of which mention has not yet been made, the establishment of an air service between India and Afghanistan, and the possible attitude of Great Britain in the event of Russia making an attack on Afghanistan. The possible establishment of an air service between Rawalpindi or Peshawar and Kabul had been constantly under discussion between the Home Government and the Government of India since 1925. In the interval there had been much correspondence and consultation of legal experts on the point whether or not the establishment of the service would necessitate the granting of permission to aircraft of other nations to fly over the North-West Frontier Province. In 1930 the Government of India had expressed themselves willing to face this risk.² In 1931 they were finally impelled by the financial crisis of that year to write to the Secretary of State abandoning the idea.³ At the same time the Junkers Company which was negotiating for a service in Afghanistan, with an idea of establishing a through service from Europe to India *via* Persia and Afghanistan was given clearly to understand that there was no hope of its being allowed to extend its service into India.⁴ King Nadir Shah was aware also that the possibility of the operation of an air service by Russians eastwards of the line Kabul-Kandahar was one which the Government of India would view with grave concern. He informed Sir Richard Maconachie on 17th September 1931 that he would never agree to the operation of a Russian service in such an area.⁵

ATTITUDE TOWARDS POSSIBLE RUSSIAN DESIGNS ON AFGHANISTAN.

936. I. Attitude in case of Military aggression.—The Afghan Government made a direct enquiry in April 1931 what would be the attitude of His Majesty's Government in the event of Russian aggression on Afghanistan. The replies which were given are described in Chapter XIII. The Northern Frontier. The utmost length to which His Majesty's Government would commit themselves was 'an assurance to the effect that in

¹ S. No. 1 in File No. 254-F/34, paras. 309-310.

² Telegram to I. O., London, No. 2519-S., dated 27th July 1930 (A. S. XXXIII, 194).

³ Express Letter to I. O., London, No. 243-F/28, dated 20th July 1931 (A. S. XLI, 55).

⁴ Despatch from F. O., London, to Minister, Kabul, No. 18 (N. 984/242/97), dated 2nd March 1932 (A. S. XLIV, 38).

⁵ Despatch from Minister, Kabul, to F. O., London, No. 121, dated 19th September 1931 (A. S. XLI, 298).

the event of a serious unprovoked invasion of Afghan Territory, His Majesty's Government would be prepared, if their previous diplomatic intervention failed, to break off diplomatic and commercial relations with the Soviet Government'.

II. Attitude towards other Russian activities.—British policy was averse to any extension of Russian activities in the Southern and Eastern Provinces of Afghanistan. Visits by M. Stark or members of his staff to Jalalabad were viewed with particular disfavour. M. Stark's prolonged visit in the spring of 1932 became the occasion for a complete review of the British attitude towards the danger of Bolshevik propaganda in the neighbourhood of the Indian Frontier. The Government of India's views on the subject which are detailed in their letter No. 4, dated the 10th November 1932¹ were that the Soviet Government were determined to spare no efforts in extending their propaganda along both sides of the Durand line, that Russian visits to Jalalabad were, to say the least of it, undesirable and disturbing, and that the best means to stop them was to demonstrate clearly to the Afghan Government that they were to the common disadvantage of both nations.

The question is discussed more fully in Chapter XIII. The Bolshevik Menace.

The Government of India's dislike of the prospect of a Russian air service operating East of Kabul has already been mentioned.

As a method of countering the danger of economic penetration of Afghanistan by the Soviet, the development of trade between India and Afghanistan was under the consideration of the Government of India. With this in view they obtained a statement from the North Western Railway that the latter would be willing to quote special reduced rates for goods under despatch to Afghanistan.² Another idea which they considered was the making up of Afghan wool into cloth by Indian mills at special rates.³

Observance of Article XI of the Anglo-Afghan Treaty.

936A. Article XI of the Treaty reads as follows :—

“The two High Contracting Parties having mutually satisfied themselves each regarding the goodwill of the other, and especially regarding their benevolent intentions towards the tribes residing close to their irrespective boundaries, hereby undertake each to inform the other in future of any military operations of major importance which may appear necessary for the maintenance of order among the frontier tribes residing within their respective spheres, before the commencement of such operations.”

It has always been most liberally interpreted by the Government of India. All projected movements of troops or hostile aerial activities, the news of which could possibly be of interest to the Afghan Government, have been communicated to them, even when the Government of India considered that no legal obligation existed. Examples are the projected bombing of Afridi villages in 1930,⁴ the occupation of the Khajuri Plain in October of the same year,⁵ and the establishment of a Scouts Camp at Ladha in Waziristan in

¹ (A. S. XLVI, 154).

² Memo. to Minister, Kabul, No. D. 3638-F/33, dated 23rd September 1933 (A. S. L, 254).

³ Express Letter to Minister, Kabul, No. F. 137-F/31, dated 23rd January 1933 (A. S. XLVII, 138).

⁴ Telegram to Minister, Kabul, & I. O., London, No. 63-F. and 1861-S, dated 6th June 1930 (A. S. XXXII, 63).

⁵ Kabul Memo. No. 78, dated 17th October 1930 (A. S. XXXVI, 81).

May 1931.¹ No specific mention of treaty obligations was made in communicating these projected movements to the Afghan Government.

Import of Arms through India.—The import of arms to Afghanistan for the use of the Afghan Government continued freely without interruption during Nadir Shah's reign. In accordance with the spirit of Article VI of the Treaty, which provides that 'permission shall be given without let or hindrance', the waving of license fees on licenses for the import of arms and ammunition was extended in 1933 to cover licenses for the import of explosives.²

Departures from the rule that in every case of arms for which free import is claimed their expected arrival must be certified by the Afghan Government itself before facilities are granted, were so rare that it would be misleading to quote them here.

Arms and other military stores were ordered from other European countries as well as from England and were allowed the same facilities of transport.

937. Grant of Material Aid.—The grant of 10,000 rifles and a long term loan free of interest of £100,000 in 1930, followed by a second instalment of £75,000 some months later, has already been mentioned. The Afghan Government asked for further material aid in June 1933.³ The Government of India were suffering too severely from the financial crisis to feel generous, and informed the Secretary of State that they could not contemplate giving any further financial aid to Afghanistan until they could see as a return the prospect of some reduction of Frontier expenditure resulting from better understanding, or co-operation between the two nations.⁴

There were several examples of material aid on a smaller scale. In 1930-31 the Indian Government were ready to give an aeroplane to the Afghan Government,⁵ but the latter did not take advantage of the offer. Nor did they take advantage of an offer, made at their request, to send personnel of the Royal Air Force to Kabul to overhaul and repair Afghan machines.⁶ In July 1930, when there was an alarming outbreak of cholera in Kabul the Government of India sent 5,000 doses of cholera vaccine free of charge. The water supply of the Afghan post at Torkham came from the British side of the Durand line, and was the responsibility of the Government of India. They were constantly acceding to requests for its maintenance. In December 1931 Colonel Haswell and assistants were sent to Kandahar at the request of the Afghan Government to advise on the improvement of the water supply and on various other engineering problems of the Province.⁷ In the spring of 1931 the Government of India were ready to agree to a request by the Afghan Government for a concession in railway rates on military stores. This was to be taken as a special case and not to form a precedent.⁸ The Government of India's agreement was not in fact communicated to the Afghan Government.⁹

938. Export of Afghan Opium through India.—In 1932¹⁰ an official request from the Afghan Government for facilities for the despatch of a consignment of opium through India raised questions of considerable difficulty. The Government of India's first inclination was to refuse permission¹¹, but after considering arguments put forward by the Secretary of State and by His

¹ Telegram to Minister, Kabul, No. 239-K, dated 7th May 1931 (A. S. XXXIX, 278).

² Memo. to Counsellor, British Legation, Kabul, No. F. 425-F/32, dated 26th September 1932 (A. S. L, 271).

³ Despatch from Minister, Kabul, No. 60, dated 3rd June 1933 (A. S. XLIX, 39).

⁴ Letter to I. O., London, No. F. 346-F/33, dated 12th July 1933 (A. S. XLIX, 137).

⁵ Telegram to I. O., London, No. 324-S, dated 31st January 1931 (A. S. XXXVII, 332).

⁶ Memo. from Minister, Kabul, No. 491, dated 20th June 1931 (A. S. XL, 192).

⁷ Letter from Baluchistan to Minister, Kabul, dated 5th January 1932 (A. S. XLIII, 34).

⁸ Telegram to I. O., London, No. 1083-S, dated 14th April 1931 (A. S. XXXIX, 95).

⁹ Telegram to Minister, Kabul, No. 258, dated 23rd May 1931 (A. S. XL, 61).

¹⁰ Memo. from C. d'A., Kabul, No. 565, dated 4th May 1932 (A. S. XLIV, 158).

¹¹ Letter to I. O., London, No. F. 75-F/32, dated 10th June 1932 (A. S. XLIV, 244).

Majesty's Chargé d'Affaires, Kabul, they eventually agreed. The conditions on which facilities were granted were—

- (1) That for each consignment an export authorisation and copy of an import certificate issued by a responsible Government included in the League of Nations list¹ should be furnished, and
- (2) That the Government of India should be formally authorised before giving transport facilities, to institute such measures of sealing and supervision as might be necessary to prevent leakage within India.²

939. **Attitude towards ex-King Amanullah Khan.**—The Government of India in accordance with their international obligations to the settled Government of a neighbouring country, owed the Afghan Government a certain measure of co-operation against possible attempts by *ex-King* Amanullah to subvert the existing régime. Their activities in 1933 against the Lewanai Faqir, the Tor Malang, “ Pak ” and others in Waziristan, and the Kotkai Pretender in Bajaur all of whom claimed to be acting in Amanullah Khan's name, showed the lengths to which they were willing to go. Any information which they could obtain about the *ex-King's* movements either in or away from Rome, they at once passed on to the Afghan Government.³ In 1931 Amanullah Khan went on a pilgrimage to Mecca. The Governments both of India and of Afghanistan viewed this move of his with suspicion and wondered whether the pilgrimage was intended as a cloak enabling him to get in touch with his sympathisers, or whether he might not be intending to slip away from it in disguise and re-enter Afghanistan by way of an Indian port. To cope with the latter contingency the Government of India were even willing to have Afghan officials sent to Indian ports to keep an unofficial and unobtrusive look-out for him.⁴

¹ Telegram from I. O., London, No. 2853, dated 4th November 1932 (A. S. XLVI, 132).

² Telegram to I. O., London, No. 2193, dated 3rd October 1932 (A. S. XLVI, 14).

³ Telegram to I. O., London, No. 1123-S, dated 20th April 1931 (A. S. XXXIX, 152).

⁴ F. O. No. 40 (N. 4797/1094/97), dated 8th August 1930 (A. S. XXXIV, 297).

APPENDIX.

DESPATCH FROM SIR RICHARD MACONACHIE CONTAINING IMPRESSIONS OF KING NADIR SHAH'S CHARACTER AND AIMS.

DESPATCH¹ FROM HIS MAJESTY'S MINISTER, KABUL, TO HIS MAJESTY'S SECRETARY OF STATE FOR FOREIGN AFFAIRS, LONDON, No. 153, DATED THE 29TH NOVEMBER (RECEIVED 5TH DECEMBER) 1933.

There are few details to add to those which I had the honour to report in my telegram No. 180 of the 12th November [Serial No. (171)] in Part LI regarding the assassination of King Nadir Shah. I am informed by one who should be in a position to know the facts that His Majesty received an anonymous letter, on the morning of the 8th November, warning him not to go among the students at the prize-giving to be held that afternoon. The Minister of Court thereupon urged that the King should depute one of his officials to represent him at this function, but Nadir Shah refused to do this, saying that he could not show the boys that he distrusted them. He agreed however to go straight to the tent where the prizes were to be distributed. Abdul Khaliq, who is now known to be a natural son of Ghulam Nabi, and had been released from arrest on the recommendation of the then Minister for Education, Ali Muhammad (now Minister in London) was in the second row of the students of the German School, and immediately behind the youngest son of the late Shahgassi Ali Ahmed Jan. This boy had recently been married, and when the King reached the point where he was, one of his entourage mentioned the fact. Nadir Shah at once stopped to congratulate the boy and wish him happiness. Abdul Khaliq then kicked the boy from behind, knocking him down, and immediately shot the King.

2. Perhaps nothing shows the genius of Abdurrahman more clearly than the fact that he died in his bed as Amir of Afghanistan, thus evading the alternatives of assassination or deposition which Fate normally offers to rulers of this country. There was therefore nothing extraordinary in the passing of King Nadir Shah, and indeed to those who knew him personally the manner of his death seemed to result almost inevitably from the reaction of his character to his surroundings. In my despatch No. 139 of the 28th December last [Serial No. (77) in Part XLVII], I suggested that the summary execution of Ghulam Nabi would be likely to turn the thoughts of Nadir Shah's enemies towards the possibility of assassinating him, and surmised that he would find it difficult to return to his normal policy of clemency and conciliation. To the onlooker it seemed that after this sudden reversion to autocratic methods, his only chance of safety lay in following Abdurrahman's example still further along the path of terrorism, and in trusting no one except his personal bodyguard. But Nadir Shah was no logician, nor was he an Abdurrahman. His natural inclinations were all towards clemency, and in a characteristically Afghan attempt to 'have it both ways', having executed the father he pardoned the son, and knowing that his life was in imminent danger he suddenly abandoned the elaborate precautions he had been induced to take, and decided to trust the students of a school which had already produced one assassin. He made in fact the mistake, which no one can afford to make in this country, of 'dismounting from the tiger'.

3. Throughout his reign Nadir Shah was charged by his enemies with the blackest crimes, and it is surprising to notice the ready credence given to these accusations, not in his own country, where the facts were known, but in India. Perhaps the charge most commonly brought against him was that he deliberately made away with his opponents after getting them into his power on promises of safety. In the Annual Report for 1930 the execution of Bacha-i-Saqqao was described as a 'thinly disguised piece of trickery' but information subsequently received from a variety of sources goes to show that the Bacha surrendered unconditionally owing to the desertion of his followers, and that his execution was demanded by the tribal lashkars, who were then in complete control of Kabul, and who, if Nadir Shah had not accepted their

¹ A. S. LI, 274.

demand, would certainly have lynched the Bacha themselves. Similar charges were made in connection with the death from gangrene of a Ghilzai chief, who had received medical attention under Nadir Shah's personal orders, and whose funeral was attended by crowds of his fellow tribesmen profuse in their gratitude for the King's kindness. Another instance was that of a Ghilzai robber, who after receiving pardon on condition of future loyalty, broke his oath, committed a serious raid and on being captured by Afghan troops was executed. With plotters against his Government and the public peace Nadir Shah had a simple rule of practice—all should have one chance of repentance but no one should have two. The summary execution of Ghulam Nabi was an act of despotic violence contrary to all civilised ideas, but the treachery was all on Ghulam Nabi's side. The charge against the late King of deliberate treachery is however sufficiently refuted by the simple fact that up to the end of his reign his offers of pardon were accepted by such astute individuals as Abdul Hadi and the Lewanai Faqir.

4. The variety—and even inconsistency—of the failings attributed to Nadir Shah not only by his enemies among his own countrymen, but also by foreign critics suggest that his character was difficult to estimate. He has been charged, for instance, both with the ruthless butchery of the Kabul intelligentsia, and with being 'more of an English clergyman than an Afghan King' with physical cowardice and with a foolish disregard of danger. He is accused of having schemed to win the throne for himself under cover of regaining it for Amanullah, while from a Bengal politician one learns that he really seized it in an access of vanity. As I happened to come into personal contact with him at each of the later crisis of his career, on his fall in 1924 when he was under orders of banishment, again in 1929 when he crossed the Afghan frontier in the apparently forlorn hope of expelling the Bacha-i-Saqqao, and lastly for more than three years of his brief reign, it may be worth while attempting to put together some impressions I received of his character and aims.

5. The keynote of his character was, I think, a genuine—almost fanatical—patriotism. In the interests of his country he was ready to sacrifice his personal inclinations, his private principles, his life, and even the lives of his family. The years he spent in Europe never weakened his pride in being an Afghan, although they widened his outlook, and changed his views as to the means by which the interests of his country could best be served. So it was that a few months before his death the Government of India could characterise his policy, as being "of infinite service" to themselves and to His Majesty's Government, although ten years before he had been officially regarded as the arch-intriguer among the tribes of the Indian frontier. The fact was that while at the close of the third Afghan War he had regarded the maintenance of Afghan influence among the Indian tribes as essential for the defence of his country against the possibility of British aggression, he had realised, by the time he became King, that the danger to Afghanistan lay in the north not the east, and that, British and Afghan interests being essentially identical, he would serve his country best by scrupulous fulfilment of his obligations to His Majesty's Government. Although frequently as during 1930 and 1931 when the Afridis appealed for his assistance against the Government of India, he must have been sorely tempted to take the easy way out of his increasing embarrassments by a temporary abandonment of this principle he always responded to a restatement of the long view which was really his own, and acted upon it with a consistency which was all the more remarkable in view of his hypersensitiveness to public opinion.

6. His natural instinct was towards frankness and what he called the 'policy of a gentleman', that is, as he explained to me, to do, not as you would be, but as you are, done by. But if frankness failed to serve his purpose he did not hesitate to be disingenuous. An instance of this may be found in his employment of Indian tribesmen during his march on Kabul. Before taking this step he wrote to inform me of it, but, when he found that this frankness met with an uncompromising warning from the Government of India, he put forward the pretence of withdrawing from his whole enterprise

on condition that the safety of his family was assured. The success of this ruse, just as he was giving orders for the Kabul Ark to be shelled with the ladies of his family inside it, must have appealed to his keen sense of humour.

7. It was his humour which made conversation with him so entertaining but it deserted him entirely when, as frequently happened both in public and in private, he began to speak of the needs of Afghanistan, and of himself as nothing but the instrument chosen by God for the service of his country and people. On this topic he would hold forth with a fluency which was tedious to western ears, and would have been intolerable but for the obvious sincerity of the speaker.

8. He was much preoccupied with his own health, and although as he repeatedly showed, he did not fear death, he was terrified of illness. This trait probably accounted for his keen interest in medical institutions, and during his last years his favourite hobby was the establishment of hospitals and schools. In education as the magic remedy for the innate savagery of his people he had a pathetic belief which he more than once expressed to me, and it was characteristic that under the imminent threat of assassination he would cancel a military review but not a school prize-giving.

9. Although he fully appreciated the useful impressions produced by public ceremony and display, in private intercourse he was entirely unassuming and devoid of vanity. He had the natural dignity and manners which went with his breeding, and nothing of the mental pomposity of the parvenu which discovers disrespect in any plain speaking. He would open a private audience with an expression of relief at being able to drop 'this king business' as he called it, for a couple of hours, and to talk as to an old friend. For the British character he seemed to have a genuine regard probably as the result of his own and his brother's happy experiences in Europe, and in acknowledging a courtesy shown him at the time of his deepest humiliation he made the memorable remark :—"No one but an Englishman would have done that". The austerity of his private life was in striking contrast to the traditions of his predecessors, and seems to have been the only aspect of his character which his enemies thought it useless to misrepresent.

10. His achievements as a ruler are too well known to need detailed description, and it is sufficient to notice that on reaching Kabul in October 1929, the army was non-existent, the treasury practically empty, and the whole country seething with lawlessness. In the space of four years he created an army of some 40,000 men, dealt successfully with three serious rebellions, built a road through the Hindu Kush, raised the revenue to a figure which it is believed never to have attained in Amanullah's reign, and made the highways throughout the country safer than they had ever been. The only external assistance he received in his task was a grant of 10,000 rifles and a sum of about £180,000 made by the Government of India in 1931. This was generous enough, but hardly adequate in itself to account for the restoration of order and comparative prosperity among a naturally turbulent people, inhabiting a country somewhat larger than France.

11. It is however by the permanence of the administration which he established that Nadir Shah's claim to real success, perhaps even greatness, must be judged, and on this point it would at present be premature to express an opinion. The peaceful succession of his son, which has falsified the expectations of most observers, including myself, is a hopeful sign, but it remains to be seen whether the new King and his uncles will be able, now that the moderating influence of Nadir Shah has been withdrawn, to sink their mutual jealousies in a common effort for the good of their country. Another danger, which is difficult to appreciate accurately, is that of further assassinations. An epidemic of this kind when once it has begun is notoriously likely to continue, and while some think that Nadir Shah's death was the outcome of a dynastic feud which will be maintained until his whole family is destroyed, others believe that it was due mainly to personal motives, and that the vengeance of his enemies has now been sated. The near future will be likely to show which of these two views is correct.

12. A copy of this despatch is being forwarded to the Secretary of State for India and to the Government of India.

PERIOD IV.

THE FIRST THREE YEARS OF ZAHIR SHAH'S REIGN.

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PERIOD IV.

THE FIRST THREE YEARS OF ZAHIR SHAH'S REIGN.

CHAPTER V.

SUMMARY OF EVENTS.

940. **Introductory.**—Owing partly to the shortness of the time available for the compilation of this volume, and partly to the fact that there has been no break in continuity, such as have served to separate early portions of the story into periods, a narrative of events in story form has not been prepared for 1933-36. Brief references to the more important happenings, many of which are described at length in other paragraphs are given below.

I. INTERNAL AND DOMESTIC.

941. **The New Regime.**—Nadir Shah's assassination took place on 8th November 1933. As already described, his brothers took prompt and energetic measures to put his son on the throne, and Zahir Jan's accession was a 'fait accompli' almost before the news of Nadir Shah's death had been realised. The last six weeks of 1933 were marked by severe retributive action on the part of the established Government, including sixteen important executions and the brutal killing of Abdul Khaliq, Nadir Shah's actual murderer, by the troops to whom he was handed over. For the first few months of 1934 the atmosphere continued tense and the bazaar apprehensive, but as the tragedies of 1933 faded into the past and Amanullah Khan's party made no further attempts for the removal of the ruling party, an improvement soon became noticeable. The improvement continued, in spite of occasional difficulties, throughout 1934 and 1935, and the new régime is now tolerably firmly established. The Administration is in the same form as in King Nadir Shah's reign. King Zahir Shah is still young, and it is the Prime Minister, His Highness Sardar Mohammad Hashim Khan, who really rules the country. "He leaves the Army to his brother (Shah Mahmud) but in all other matters, whether financial, political or administrative he is the driving force and the power behind the throne. Almost all questions are referred to him and no decision of any importance is taken without his knowledge and approval. Unlike some other dictators he admits the disadvantages and dangers of over-centralisation, and is striving to educate others in the country to relieve him of some of his burden and eventually to take his place. He is gratified at the manner in which his country has weathered its recent crisis, and at the obvious signs that a majority of the people at any rate appreciate a Government which strives for their advancement and well-being. But he fears the future. His health is none too good, and the strain imposed on the head of the Government by six troubled years of incessant work is beginning to tell on him. There is at present no one who can take his place.¹"

His Highness Sardar Mohammad Hashim Khan had to go to Europe for an operation in the autumn of 1936, but it is reported that the operation has been completely successful.

941-A. **Visits of officials to Europe.**—In addition to the Prime Minister, the Foreign Minister, Sardar Faiz Mohammad, and the War Minister, S. Shah Mahmud, have both visited Europe. Sardar Faiz Mohammad had an interview with the Foreign Secretary in London². The exchange of views brought nothing new to light, but resulted in a slight quickening up of the negotiations for the sale of rifles and ammunition to the Afghan Government.

¹ Despatch from Minister, Kabul, to F. O., London, No. 31, dated 7th March 1936 (A. S. LIX 226) para. 4.

² Despatch from F. O., London, No. 16(N. 652-233-97), dated 25th February 1936 (A. S. LIX, 201 and 202).

The Commandant of the Afghan Air Force passed through India on the way to Europe in the autumn of 1936. The object of his journey is to arrange for the purchase of aeroplanes in the United Kingdom and elsewhere, and for the training of personnel¹. Abdul Majid, President and Managing Director of the Shirkat-i-Ashami, is also in Europe at the time of writing, to see what he can arrange in the way of overseas trade for Afghanistan. The principal objects which he is believed to have in view are the fixing of contracts for the Afghan export trade in 'Persian lamb' and the creation of credits in Afghanistan's favour for the purchase of machinery and other imports.

AIR SERVICES.

942. 1. Civil.—Russian aeroplanes continue to fly over the Tashkent-Termez-Kabul route, operating as an irregular private service for the use of the Soviet Embassy, although the continuance of the service, even in this irregular manner, has not been confirmed by the renewal of the agreement concluded during Amanullah's reign.

In 1934 the Afghan Government were again considering the possibility of recognising a permanent air mail and passenger service from Europe through Russia into, and possibly across, Afghanistan. They asked the advice of His Majesty's Government on the political and financial aspects of the proposal, and particularly on the question whether there was any prospect of their agreeing to institute a connecting service between India and Kabul.²

943. 2. Military.—At the close of the period the Afghan Government were in negotiation with His Majesty's Government for the purchase of aeroplanes in England and for the training of personnel in India. His Majesty's Government were willing to sell 8 aeroplanes quickly and to consider favourably the question of further supplies. The Government of India were willing to train ten pilots and ten mechanics free of charge. The Commandant of the Afghan Air Force had gone to Europe to make arrangements for the purchase of the eight aeroplanes offered him by His Majesty's Government and to seek in England and elsewhere in Europe to complete the requirements of the Afghan Government by the purchase of a somewhat cheaper type of machine³.

944. The Army.—The Afghan Army in 1936 numbered between 50,000 and 60,000 men, reasonably well trained, paid, disciplined and loyal to the ruling house.

In January 1935 Afghan officers attended the Delhi manoeuvres of the Army in India at the invitation of His Excellency the Commander-in-Chief.

For an account of the Afghan Army see Notes on the Afghan Army prepared by the General Staff, 1936 (confidential).

Armament.—Considerable purchases of arms, equipment and ammunition were made during the period. Among the largest bargains concluded were 30,000 rifle units from the British Government, 10½ million rounds of .303 ammunition from the Indian Government, and a consignment of machine guns, automatic-guns, field-guns, light tanks, etc. from Germany⁴.

945. Currency and Exchange.—After violent fluctuations of exchange and a period when complete financial disaster seemed to threaten, the State Finances took a sudden turn for the better during 1935. The rate of exchange has been fixed at Rs. 365 Afghani to Rs. 100 Indian, and the use of paper currency has been introduced⁵. A strong silver reserve is held against the notes issued⁶, and the latter are accepted without difficulty. Exchange operations are not allowed to be conducted except through the Afghan National Bank (Chapter XXII, Trade Questions).

¹ Para. 1223.

² Paras. 1228-1235.

³ Paras. 1223-1226.

⁴ Paras. 1211-1220.

⁵ Despatch from Minister, Kabul, to F. O., London, No. 140, dated 10th December 1935 (A. S. LIX, 67).

⁶ Despatch from Minister, Kabul, to F. O., London, No. 2, dated 4th January 1936 (A. S. LIX, 106).

946. State Trading.—State Trading and State control of trade have been introduced wherever possible. There are two underlying motives for this, (i) the desire to get as much profit as possible for the country out of the business of the country, and (ii) the desire to regulate foreign trade in accordance with foreign policy (Chapter XXII. Trade Questions).

947. Commercial Policy.—Afghan commercial policy is actuated by two principal motives, (i) the wish to frustrate Russia's believed intention of dominating the country through control of its foreign trade, and (ii) the desire to build up internal industries. In practice the policy with regard to Russia has been to make as much profit as possible out of Russia's anxiety to trade, without at the same time letting Russia acquire too great an influence. Important commercial undertakings have been concluded with Russia providing usually for an interchange of exports between the two countries, but in the other direction the removal of the 'Charyaka' tax and the encouragement at first given to everything Japanese have opened the door wider for trade with other countries.

British co-operation has throughout been invited. The particular requests made have been for the grant of "free transit" through India and for loans or credits for the development of internal industries. "Free transit" has been promised by the Government of India, but the details necessary to put the concession into practice have not been worked out. The request for the granting of credits came to nothing. His Majesty's Government would not agree to this without a preliminary enquiry into the general state of Afghan Finances. As the Afghan Government had in the meanwhile got the credit they wanted from Germany, they declined the proposed enquiry.

The Afghan Government were in communication with private firms in England for the purchase of machinery on credit, but without success.

Japanese trade with Afghanistan has increased enormously in recent years. All these matters are discussed in Chapter XXII, Trade Questions.

948. Railways.—The question of the railway development of Afghanistan had not been considered since King Amanullah's reign. It was taken up again in February 1936 when the Afghan Government enquired to what extent the Government of India would co-operate by the linking up of Indian railways with Afghanistan. No answer had been returned by the time this Volume was compiled¹.

948-A. The New road to the North.—In August 1933² the Afghan Government opened a new road for motor traffic from Kabul to Mazar-i-Sharif, through Charikar³, Bulula, Doab-i-Mekhzar, Tala, Amrutak Pass, Dhana-Haibak and Tashkurghan. The road although bad in certain places was a creditable feat of engineering particularly for Afghanistan as it reduced the journey from three weeks to three days.

The Amrutak⁴ Pass sector was found unsatisfactory and work on a new alignment, *via* Doshi and the Surkhab river was begun in March 1934 and this road was officially opened in October. It was however far from being completed; bridges were flimsy and liable to be swept away by the first spate; the surface was rough and motor vehicles could only travel on it very slowly. In 1936 work was started on the replacement of the wooden bridges by concrete and steel ones.

Efforts to make the road between Mazar-i-Sharif and Pata Kesar fit for motor traffic having failed, the Afghan Government decided⁵ in 1936 to build a new road from Mazar-i-Sharif *via* Balkh to a point opposite Kilif on the Oxus.

The opening of the road to the north has greatly facilitated trade with Russia. When it is completed to the Oxus, the excuse for the existing Russian air service between Termez and Kabul will disappear.

¹ Paras. 1196-1198.

² Encl. to S. No. 276 (A. S. LII).

³ Notes page 2 in F. 358-F/34.

⁴ A. S. LV, 260.

⁵ Despatch from Minister, Kabul, No. 5, dated 21st January 1937 (A. S. LXII, 138).

949. **Industries and development of local resources.**—Work on a wool factory which had long been under construction at Kandahar was speeded up during 1935, and it was reported that machinery for cleaning, pressing, weaving and dyeing, bought in Germany against credits granted by the German Government, was shortly to be installed under German supervision.

A sugar beet industry was under consideration and an area for its establishment had been selected. Negotiations for the supply of machinery were going on with various firms.

Several important irrigation works, which were expected to increase the cultivable area by a total of over 200,000 acres, were in progress or nearing completion.

Minerals were also receiving attention, and in addition to the gold-washing in the Oxus, the ruby-mines of Jagdalak, and other believed supplies of various minerals, the re-opening of coal mines was contemplated. An oil spring at Tirpul was several times examined, and the Government was in negotiation with British, American, and Japanese firms for its development (Chapter XXII, Trade Questions). An American gentleman who was interesting himself in a possible concession told the British Minister that one of his ideas was to bring oil out by means of a pipe-line through India, but that the Prime Minister raised objections to this proposal but on further consideration did not press them¹.

A geological survey, with special reference to the possibilities of coal mining, was carried out in 1936 by Dr. Fox, a geologist lent by the Government of India².

II. EXTERNAL.

A. FOREIGN POLICY.

950. **Foreign Policy in Theory.**—At the wish of the Afghan Government, Sir Richard Maconachie, on returning to England at the expiry of his appointment as British Minister, Kabul, presented to the Secretary of State for Foreign Affairs a statement of the policy of the Afghan Government based on conversations held with Afghan Ministers before leaving Kabul. The statement, which is to be read with the caution that 'the opinions expressed are merely those of the Afghan Ministers, was as follows:—

"The basis of the present Afghan Government's foreign policy is close friendship with His Majesty's Government and has been adopted not so much as the outcome of treaty obligations as from motives of self-interest. The policy of His Majesty's Government is no longer aggressive in regard to Afghanistan, which is the "door of India". The preservation of the "house" necessarily involved that of the "door" in a condition to fulfil its function of a barrier. Since to the Afghan public close friendship with His Majesty's Government immediately suggests suspicions of undue subservience to that Government and the Government of India—suspicions which are diligently fostered by the party of Amanullah and the Soviet Embassy in Kabul—the real nature of the present Afghan Government foreign policy can never be advertised, and must sometimes even be camouflaged by a pretence of unfriendliness towards His Majesty's Government. It is important that any such gestures which are intended solely for Afghan (and Russian) consumption should not mislead His Majesty's Government as to the real policy of the Afghan Ministers.

2. It is also important that His Majesty's Government should not misinterpret the relations of the Afghan Government with other Powers, *viz.*, Russia, Turkey and Japan.

3. Russia is a permanent menace to Afghanistan, and her ultimate object is always the penetration and absorption of Afghanistan as a preliminary step towards the penetration of India. Various methods may be adopted by Russia at different times for the achievement of this objective such as military aggression or political penetration by secret agents, or economic control. The two last are the methods in favour at the moment, although owing to preoccupations in the Far East, the Soviet Union just now may not be pursuing them so actively as formerly. In regard to military aggression from Russia, His Majesty's Government have defined their attitude, so far as it is possible for them to do so beforehand. It is for Afghanistan herself to check political penetration by Soviet agents, and she is doing this energetically and on the whole successfully. For instance, anxious as Afghanistan is to maintain correct relations with the Soviet Union, and to give the latter no opening for picking a quarrel, she has been obliged to

¹ A. S. LX, 47 and 204.

² Para. 1326.

insist on the withdrawal of the mission of Russian specialists engaged in the destruction of locusts in northern Afghanistan, since these specialists were in fact disseminating political propaganda. It is, however, in the economic sphere that the Soviet authorities are now making their main effort. Their plan is by purchasing the bulk of Afghan products, such as "Persian lamb", cotton, and wool, to achieve control of the whole of Afghan foreign trade, and through such control to effect by an easy development either political predominance in the present Kingdom of Afghanistan or else the overthrow of that Kingdom, to be followed by the institution of an Afghan republic which could then be absorbed in the Soviet Union.

It is to meet this menace that Afghanistan requires the assistance of His Majesty's Government. She desires to sell her "Persian lamb" crop to British firms and to obtain from British firms the plant which she requires for the development of her natural resources. By this means she would free herself from the necessity of selling to the Russian purchaser, and so elude the stranglehold in which the Soviet authorities are attempting to entangle her. The development of home manufactures would also tend to correct the adverse balance of Afghan foreign trade, to which the Ministers ascribe their present economic difficulties, and in particular the continued depreciation of the Afghan currency. His Majesty's Government should, the Afghan Ministers think, be prepared to afford assistance in this direction in the form of guarantees to British firms exporting plant to Afghanistan, not because the development of such business would materially benefit British trade, but on broad political grounds, since the development of the natural resources of Afghanistan is the only means by which the country can be made solvent and stable, and so continue to function efficiently as a buffer between India and Russia. They would also, they trusted, consider favourably the grant of free transit through India of imports to Afghanistan.

4. In view of the closeness of the relations existing between the Turkish and Soviet Governments there is a possibility that His Majesty's Government might misunderstand the motives of the Afghan Government in cultivating—as they are deliberately doing—friendship with Turkey. The reason for the rapprochement between Afghanistan and Turkey is unconnected with Russia, and is to be found solely in the present attitude of Persia which is arming rapidly, and suffering from "wind in the head". Her behaviour in regard to the current boundary dispute with Afghanistan has caused the latter some anxiety, and the assumption of the style of "Iran"—ridiculous as the reasons given for this step may be—is significant of Persia's new irredentism. The Afghan Government see in close friendship between themselves and Turkey the best form of insurance against any Persian aggression in the direction of Herat.

5. Similar misunderstandings might also arise from the recent institution of diplomatic relations between Afghanistan and Japan. The motive in this case, so far as Afghanistan is concerned, is simply the desire to obtain support, if only of a moral or diplomatic kind, against any highhandedness on the part of the Soviet authorities. The Soviet attitude towards the Afghan Government has already become much more moderate and conciliatory, since the exchange of diplomatic representatives between Afghanistan and Japan. Neither Japan nor Turkey is the enemy of Great Britain, and the development of closer relations between Afghanistan and these Powers is due not to any lack of cordiality towards His Majesty's Government on the part of Afghanistan but simply to the necessity of using any means available for holding the other two limitrophe Powers—Russia and Persia—in check. Neither Turkey nor Japan, however, is really interested to maintain the integrity of Afghanistan as His Majesty's Government are, and it is on the support of His Majesty's Government that Afghanistan must ultimately rely.

6. The most fruitful source of misunderstanding between His Majesty's Government and Afghanistan has lain in the tribal territory on the north-west frontier of India. Previous Afghan Governments have all been active in maintaining the independence of these tribes as an obstacle to any aggression from the direction of India upon Afghanistan. The present Afghan Government, realising that they have no reason to fear aggression by His Majesty's Government, have entirely abandoned the "policy of intrigue" and would in fact—although they could never afford to say so openly—be glad to see the frontier tribes of India more firmly controlled by the Government of India, so that all danger of attack by these tribes upon Afghanistan—such as occurred as recently as 1933—might be finally removed.

But the measures hitherto adopted by the Government of India of extending their control by force, as shown by the constant recurrence of land and air operations in tribal territory have placed the Afghan Government in a position of great difficulty and embarrassment. The problem is not solved by calling such a policy one of "peaceful penetration", for if the measures taken at the outset by the Government of India have been in some cases peaceful, they have almost always been, as anyone acquainted with tribal psychology would know, such as must inevitably provoke hostilities. If the Government of India would only play their cards so that a real desire for civilization and peaceful progress would be produced in the tribal belt, not only would their control be extended much more rapidly, cheaply, and permanently than by the use of force, but also the Afghan Government would be freed of their present embarrassment in rejecting appeals for assistance from their co-religionist who can plausibly represent themselves as fighting to maintain the independence of their country. It is the rejection of such appeals which brings the Afghan Government into contempt among their own subjects, and plays directly into the hands of the pro-Amanullah and Bolshevik party. It is surely not reasonable that His Majesty's Government, who have given proof of their desire for the welfare of Afghanistan, should by their present policy in the tribal belt on the north-west frontier of India provide the enemies of the Afghan Government with their most effective means of propaganda

and so endanger the stability of that Government. The Prime Minister pleaded most earnestly for the adoption of conciliatory methods in dealing with the Pathan tribesmen of the North West Frontier, since such methods would, he was convinced, be found in practice to be in the best interest both of His Majesty's Government and of the Afghan Government".¹

951. Recent Developments.—The following extracts from the Annual Reports for 1934² and 1935³ describe the general situation in regard to Foreign Affairs as it was by the end of 1935 :—

" Discussions with the Afghan Ministers have thrown more light on the main principles of Afghan foreign policy, which appears to be governed by apprehensions of possible aggression from two out of the three limitrophe Powers, Russia and Persia. In both cases security is to be sought in the support of a third Power, which is regarded as the natural antagonist of the potential aggressor.

Thus Russian aggression is to be held in check by a rapprochement with Japan, and any Persian irredentism in the direction of Herat by a rapprochement with Turkey. The possibility that Turkey and Japan may have their own views as to such an arrangement, and either demand an impossible *quid pro quo* or fail Afghanistan in the hour of need is not overlooked, but no alternative is in sight, and the Ministers prepare to walk the tight rope with more courage than confidence. The part assigned to His Majesty's Government appears to be that of the net underneath, although, with the approach of self-government in India, the certainty of even this means of salvation is seriously questioned.

In a consideration of the attitude of the Afghan Government and people towards foreign powers and foreigners generally, two important factors must not be lost sight of. The first is that these relations, as one sovereign power to another, have only existed in any form for about 16 years, and the second is that in the absence of any outlet to the sea, and of any easy means of communication even with their nearest neighbours, the growth of free intercourse and the elimination of traditional distrust will take a very long time. It must also be remembered that their past experience of such foreigners as they have met has been none too happy. In the first years of ex-King Amanullah's reign, when Great Britain was quietly living down the hundred years of hate and suspicion which lay behind them, Afghanistan suffered much at the hands of German contract hunters, witnessed the hasty removal of a deputation of half-baked young Italian engineers, and endured the infiltration of Russian personnel into their air and other services. It is not to be wondered at that the present régime is determined to stand on its own feet as soon as it can and, while utilising the services of foreign experts in enterprises which require a degree of technical skill to which Afghans have not yet attained, seeks to prevent any considerable influx of foreigners.

This attitude towards foreign enterprise in general seems to be reflected in the provisions of the new Visa Code some details of which are given in a subsequent paragraph. The restriction on the validity of visas to a single journey, and the stringent enquiries which have to be answered before a foreigner may take up his residence in Afghanistan for more than fifteen days, suggest a determination to control foreign enterprise in Afghanistan both political and economic very closely.

¹ Endt. from Secy., Pol. Dept., I. O., No. P. Z. 4257/35, dated 21st June 1935 (Sub-Encl. II to S. No. 82, File No. 575-F/34).

² F. No. 483/F/35, Confdl. S. No. 1, paras. 202-203.

³ F. No. 290-F/36, Confdl. S. No. 1, Paras. 193-200.

At the same time the Afghan Government are not blind to the advantages of opening up the country to *bona fide* travellers, not only for the sake of the money they bring into the country, but also for the civilising influence of contact with the outside world. The only country which at present provides such travellers in any number is India, and most of those who travel the Peshawar-Kabul road are British subjects. They are freely admitted and with rare exceptions courteously treated.

Most striking evidence of the desire of the present Government to break down the 'purdah' and to encourage travel in Afghanistan is their request for the advice of His Majesty's Government on the question of a civil air service across the country. It remains to be seen whether anything comes of this request but the fact that the Afghan Government have made it is significant of their desire for progress.

In the sphere of Central Asian politics the Afghan Ministers pursue their way cautiously. Economic necessity has driven them to a commercial rapprochement with Russia, but they have no intention of getting too deeply involved. Soviet movements in Sinkiang are causing them apprehension and they would dearly like to see His Majesty's Government stretching out a hand beyond the Pamirs to help their co-religionists in Khotan. They realise however the unlikelihood of such an enterprise and are studying the pros and cons of a closer connection with Japan as the rising power in the Far East who is more likely than any other to counter the Russian move southwards.

On their western borders they have resolved their immediate difficulties with Persia, and have welcomed the visit of the Persian Foreign Minister as a sign of goodwill; and though that goodwill seems barely to have outlasted his visit, it was sufficient to secure their agreement to participate in the pact of non-aggression between Iraq, Iran and Turkey.

Behind all this remains Great Britain, the net, as so aptly described in last year's report into which they can safely fall if their balancing feats should fail. It is difficult to say exactly in what light they view the British connection. In the past twelve months His Majesty's Government have not been very accommodating in regard to their request for arms and credits and have flatly disregarded their views as to the best method of handling tribal problems. And yet it is doubtful whether the prestige of Great Britain has ever stood higher in Afghanistan than in the past twelve months.

Afghanistan joined the League of Nations in 1934, with rather the same motives as induce some people to join a well-known Club; a number of the best people belonged to it and it might come in useful. But they hardly took the League or its functions seriously until they realised this summer that a mighty struggle was in progress in the cause of the principles for which the League stood, and that the outcome of that struggle might well affect most vitally the future of Afghanistan as a nation. They have followed every phase of the crisis with the deepest interest, and have been filled first with wonder and then admiration at the stand made by His Majesty's Government in the cause of collective security and the lead given by them to World opinion in the past twelve months. The Prime Minister was paying no idle compliment when, in commenting on the return of the National Government, he referred to the present state of Great Britain as the mainstay of world stability. The prospect of Afghanistan developing its own life in peace under the guarantee of the great powers surrounding it, a kind

of Switzerland in Asia, is still far off, too far to dwell on seriously but a successful issue by the League from the present conflict would bring it a little nearer."

Since these words were written Italy has annexed Abyssinia in spite of the League, and the Afghan Government have lost faith in the power of the latter to protect them against Russia.

B. WORLD POLITICS.

952. Afghanistan joined the League of Nations in September 1934, and sent a delegate to the World Disarmament Conference in Spain in 1933. The latter was able to bring back with him a useful consignment of pistols¹.

Afghanistan signed the Eight-Power Pact in July 1933² and the Slavery Convention in November 1935³. The eight powers signatory to the Pact are the U. S. S. R. and seven of its near neighbours, namely, Afghanistan, Esthonia, Latvia, Persia, Poland, Rumania and Turkey.

C. FOREIGN RELATIONS—I. WITH THE BRITISH GOVERNMENT AND THE GOVERNMENT OF INDIA.

1. GENERAL.

953. Afghan-British relations were, on the whole, of the friendliest nature throughout the period.

2. INTERNATIONAL.

954. **Diplomatic.**—Sir Richard Maconachie, who had been His Majesty's Minister at Kabul since the beginning of King Nadir Shah's reign, presented his letters of recall to King Muhammad Zahir Shah on 28th February 1935. He was succeeded by Lieut.-Colonel W. K. Fraser-Tytler, C.M.G., M.C., who presented his credentials on 10th April 1935.

His Highness Shah Wali Khan, brother of King Nadir Shah, had been replaced as Afghan Minister in London in May 1931 by Ahmad Ali Khan. The latter was replaced by Ali Muhammad Khan in July 1933.

955. **Afghan Courier Code.**—In October 1935 the Afghan Government promulgated a Code dealing with the duties and privileges of Couriers. A more detailed reference to this Code is given in Chapter XXVI and the appendix to that Chapter.

956. **Passports and Visas.**—"The new Afghan Visa code received the King's assent on November 1st, 1934 but did not come into force till the spring of 1935. It is a document of thirty-one articles of which the first nine deal with various types of visas, the next seven with visa fees and the remainder with exemptions, penalties, and miscellaneous regulations. There are a number of obscurities in the rules, some of which will probably never be enforced, but the general system appears to be to restrict the validity of any visa to a single journey, and to combine the longer term visas with permits *de sejour* which must be obtained on arrival in the country by any one desiring to stay for more than fifteen days. The necessity for obtaining an exit visa on departure from Afghanistan is maintained. The question whether an attempt should be made to induce the Afghan Government to negotiate a modification in some of the rules is under consideration.⁴

A vexatious rule which does not appear in the new Code requires that every application for an entry visa should be accompanied by three photographs of the applicant. This rule which has been in abeyance since the time of *ex-King* Amanullah was revived in the summer and is said by the Afghans to be required to enable them to identify Soviet agents.⁵

¹ A. S. XLII, 281 and Annual Report for 1933, A. S. LII, 276, para. 190.

² Annual Report for 1933 (A. S. LII, 276), para. 198.

³ Letter from the Secy. General Acting Legal Adviser of the Secretariat, League of Nations, No. C. L. 195-1935-VI, dated 28th November 1935 (A. S. LIX, 98).

⁴ Appendix to Ch. XIX.

⁵ Annual Report for 1935 (A. S. LIX, 226, para. 287).

956-A. The New Consulate at Kandahar.—In 1936 the Afghan authorities refused to carry out any further repairs to His Majesty's Consulate at Kandahar, which was in a very bad condition, and announced their intention of building a new consulate outside the city on the western side where a suburb is rapidly developing. After much discussion regarding plans work on the new building began and has now been nearly completed.¹ The new building has been constructed by the Afghan Government at their own cost and is to be fitted with electricity. It contains adequate accommodation for guests and should be a great improvement on the old building.

957. Encouragement of British visitors.—British officers and ladies have been welcomed to Afghanistan throughout the period. The visitors included Political Officers of the Frontier Province, and Military Intelligence Officers, two classes whom the Afghan Government might, if they had been so minded, have regarded with suspicion, but all of whom were in fact welcomed and taken everywhere they could wish. His Excellency the Governor of the North-West Frontier Province visited Kabul in April 1936. He was given a warm welcome and had discussions with various members of the Government, including the Prime and Foreign Ministers, and an interview with the King².

958. Restraint of Revolutionaries, Bolshevik Agents and open enemies of the British Government.—The present Afghan Government regards revolutionaries with the greatest abhorrence, and has never been slow to take action against them.

Gurmukh Singh and Prithi Singh were deported to Russia in July 1934. Two others, Harnam Singh and Mitha Singh were in prison. Mir Rahmatullah Humayun, another, was allowed to make terms with the Government of India, and returned to India in March 1934, after being warned that he would be kept under surveillance there. Two persons believed to be working as Soviet Agents were arrested in May 1934.

Maulvi Bashir, an open enemy of the British Government, who often used to visit Kabul, was murdered at his home in December 1934.

In the Annual Report for 1935 the British Minister commented on the Afghan Government's concentration of Sikhs and other possible seditionists from outlying province into Jalalabad, as another proof of their determination to curb revolutionary activity.

Badshah Gul and Abdulla Jan.—The present situation with regard to Badshah Gul and Abdulla Jan is discussed in Chapter XV, Refugees.

959. Trade with India and Great Britain.—A satisfactory agreement with the Burma Shell Company for the supply of petrol continued in force throughout 1934. Negotiations for renewal appeared to be breaking down in 1935, but a renewed contract was signed early in 1936³.

A trade mission was sent from India to Afghanistan in April 1934 to explore the possibilities of extending British and Indian trade with Afghanistan⁴.

The British firms which sent representatives to Kabul during 1934 included the Hudson Bay (Fur Trading) Company, Imperial Chemical Industries, the Oriental Carpet Manufacturers (of India), British Marconis, and Braithwaite & Co., India. Of these Messrs. Marconis was the only firm which supplied goods on credit. The Prime Minister was dissatisfied with the state of trade between Afghanistan and Great Britain, and wished to have a British Trade Agent in Kabul. An Indian Trade Agent has now been appointed, and is expected to go to Kabul early in 1937⁵.

The Oriental Carpet Manufacturers obtained a contract in 1935 for the supply of cloth to the army, and in return were to purchase 950 tons of raw wool from Afghanistan. The terms of the contract have not proved very satisfactory in practice⁶.

¹ S. No. (1) in File No. 247-A/36.

² Despatch from Minister, Kabul, to F. O., London, No. 59, dated 1st May 1936 (A. S. LX, 40).

³ Economic Report for second quarter of 1936, paras. 39-40 (A. S. LX, 245).

⁴ Para. 1281.

⁵ Para. 1301.

⁶ Para. 1323.

London obtained practically no share of the 'Persian lamb' trade in 1934, but a considerable share in 1935. The Hudson's Bay Company has since made a satisfactory agreement for the development of the trade in future¹.

960. The determination of the Afghan Government to keep Afghan trade in Afghan hands has had several unfavourable reactions on British subjects carrying on trade or business in Afghanistan, and on the Indian import trade through or from Afghanistan. Examples follow.

(1) **Lorry Drivers.**—Indian Lorry Drivers are put to a great deal of inconvenience both by the Afghan Government's rules and by the interpretations put on these rules by local officials. There seems little doubt at present that the Afghan Government would like to keep them off Afghan roads altogether².

(2) **Traders in Persian Lamb.**—Three London firms trading in Persian Lamb made complaint of losses caused to them by the creation of a monopoly of the trade in 1934. Their grievances were represented by the British Legation and were to a great extent remedied by the Afghan Government³.

(3) **Transit of Charas.**—In October 1935 the Government of India complained that consignments of charas (a drug prepared from hemp) on their way to Sinkiang from India *via* Chitral had been detained by the Afghan authorities in Wakhan. Enquiries showed that the Afghan Government had forbidden the entry of this drug into Afghanistan, probably without realising that Indian trade would be affected by the prohibition. As a result of representations made by His Majesty's Legation, the Afghan Government agreed to allow the passage of charas through Afghanistan to India up to the 20th March 1936⁴.

(4) **Deputation of traders.**—The following is taken from the Economic Report for the last quarter of 1935:—

"Early in December a deputation of Indian traders, composed entirely of Hindus and Sikhs, visited His Majesty's Legation to protest against the attitude of the Afghan Government towards them. They stated that there were only ten Indian traders—by which they meant Indians interested in the import and export trade and not petty shop-keepers—left in Afghanistan, and they would probably be evicted as soon as their permits to trade, which had been obtained with great difficulty and were only valid for one year, had expired. These permits or licenses to trade have to be obtained by Afghans and foreigners alike and issued on the payment of a small fee. In any case as the Afghan Government had already prohibited all private dealing in bills of exchange and were contemplating the creation of monopolies for the export of dry fruit and the import of piece-goods there would soon be nothing left for them to trade in. They asked that representations should be made to the Afghan Government and that the Government of India should also be requested to take retaliatory measures. The Prime Minister when approached on the subject denied that the Afghan Government had any animus against Indian traders as such and promised to enquire into their grievances. He had stated on a previous occasion, in reply to a complaint that the Afghan monopolist system was driving the Indian trader out of the market, that in the present economic condition of Afghanistan it was essential for her to trade in the best market and to adopt methods which would ensure her the best return. He expressed himself only too ready to conclude an agreement with the Government of

¹ Para. 1204.

² Para. 1281(v).

³ Despatch from Minister, Kabul, to F. O., London, No. 107, dated 17th September 1934 (A. S. LIV, 238).

⁴ Encl. to Memo. from Counsellor, B. L., Kabul, No. 394, dated 25th January 1936 (File No. 575-F/35, 13).

India for the development of the trade of the two countries to the best advantage of both. There can, however, be no doubt that it is the deliberate policy of the Afghan Government to cut out the Indian middlemen (*cf.* Report for the period ending the 30th June, 1935, paragraph 13) and it can hardly be denied that this policy should be to their advantage."¹

The disabilities of Indian Traders are discussed also in Paragraph 1281 of this Volume.

(5) **Stoppage of trade with Chitral.**—There is a considerable volume of trade between Afghanistan and Chitral *via* the Baroghil and Dorah Passes. This includes articles exported from Afghanistan to Chitral and articles passing through Afghanistan between Yarkand and Chitral. In 1935 a complaint was made from Chitral that the Afghan authorities had to all intents and purposes put a complete stop to this trade. In reply to representations made by the British Legation, Kabul, the Afghan Prime Minister explained that it was not his Government's intention to stop the transit trade at all², and that he had only intended to control, not to stop, the export trade³. He offered to make suitable arrangements for the export of such articles as were particularly required in Chitral⁴. The necessary list has been supplied⁵, and a special request for the addition of polo ponies has been added⁶.

The required arrangements had not been made by the time this volume was compiled.

(6) **Transit of timber from Chitral.**—The transit of Chitral timber by the Kunar route has been stopped by the Afghan Government for a number of years. This is naturally a matter of some importance to Chitral, which has been trying both officially and through private timber contractors to get the embargo removed. After the way had been prepared in discussions, His Majesty's Minister addressed a personal letter dated 12th June 1936 to the Afghan Foreign Minister, asking for facilities for the free transit of Chitral timber through Afghanistan⁷. The Afghan Foreign Minister replied on 10th August 1936 that his Government agreed to this transit⁸.

A Commission to consider the necessary rules of procedure and other matters connected with the concession is to meet in Kabul on a convenient date⁹.

S. Habib, Editor of the *Siyasat*, Lahore, seemed at one time on the point of successful negotiations for the export of Chitral timber through Afghanistan. The Afghan Government decided in August 1935 that the concession previously granted to S. Habib had been personal from King Nadir Shah and that they would not renew it¹⁰.

(Note.—The two problems of the export trade from Afghanistan to Chitral and of transit of Chitral timber through Afghanistan, have to be kept separate from the question of building a motor road towards the Kunar river to connect with the Afghan motor road to Birket. These problems are linked closely in the Afghan mind)¹¹.

960-A. Recognition of British documents in Afghan Courts of Law and vice versa.—In 1932¹² the Afghan Government were asked at the instance of the Government of India whether Afghan law permitted the execution of a commission for the taking of the evidence of a British subject by a British consular authority in Kabul. After some delay they replied¹³ in the negative without giving reasons. In 1935¹⁴ the question was taken up with the Afghan

¹ Encl. to Kabul despatch No. 10-E, dated 20th January 1936, S. No. 94, F. 575-F/34.

² Encl. to No. 8/T from British Legation, Kabul, dated 18th January 1936 (S. No. 10, File 632-F/35).

³ No. 8/T, dated 8th February 1936, S. No. 12 *ibid*.

⁴ *Ibid*.

⁵ S. No. 26. *Ibid*.

⁶ S. No. 33. *Ibid*.

⁷ Encl. I to S. No. 19, F. No. 632-F/35.

⁸ Encl. II to S. No. 19. *Ibid*.

⁹ S. No. 39. *Ibid*.

¹⁰ D. O. No. 834-E., from B. L., Kabul, notes page 57 in File 267/F/35

¹¹ Pp. 31-33 of notes p. 41 on File 267/F/35.

¹² S. No. (25) in File No. 419-F/32.

¹³ S. No. (37). *Ibid*.

¹⁴ N. P. 18 in File No. 83-F/35.

Government again on general lines, and they replied¹ that it was impossible for Afghan Courts to execute letters of request or commission as the Courts are regulated entirely by Mohamedan Law which contains no provision for this kind of procedure. In 1937² it was suggested to His Majesty's Chargé d'Affaires that he should ascertain from the Afghan Government whether they were willing to enter into an arrangement for reciprocal service of summonses or notices as distinct from letters of request or commissions either through their Courts or through local executive officials. No reply has yet been received.

3. MATERIAL AID.

961. In 1935 the Afghan Government made through the British Minister a request for material aid of a lasting nature, not merely cash, which, however welcome, was merely temporary, but something which would put Afghanistan on her feet once and for all. The two things which they wanted were "Free Transit", and credits or loans for developing their own industries³. The Government of India, though at first reluctant, have conceded the principle of "free transit" and details for putting it into practice are being worked out at the time of writing⁴. Credits were not granted⁵, except as mentioned below.

In February 1935 the Prime Minister expressed his desire to buy 30,000 rifles with ammunition, and twenty-four aeroplanes from His Majesty's Government. After somewhat prolonged negotiations it was agreed that His Majesty's Government should sell 30,000 rifle units and 8 aeroplanes, and the Government of India 10½ million rounds of ammunition. Payment for the rifles and ammunition would be accepted by instalments⁶.

4. APPEALS FOR PROTECTION FROM RUSSIAN AGGRESSION.

962. The limited assurance which His Majesty's Government gave in reply to the Afghan Government's enquiry about their attitude in the event of Soviet aggression on Afghanistan's Northern Frontier has been mentioned in paragraphs 1075-1076. It concluded with a recommendation that Afghanistan should join the League of Nations. Afghanistan did this, but after seeing Abyssinia annexed by Italy in 1936, did not feel so sure of the protection which membership could give. The Minister hinted in July 1936 to the Counsellor, British Legation that he would like some stronger assurance of help. The British Minister took no notice of the hint, beyond reporting it to His Majesty's Government⁷.

The request at the beginning of 1935 for the grant of "Free Transit" and of export credits was worded as another invitation to His Majesty's Government to co-operate against possible Russian aggression. The recognition of this underlying motive was one of the reasons which induced the Government of India to agree to "Free Transit"⁸.

Yet another indication of the desire for British co-operation against the Russian menace, was an enquiry in the summer of 1935 whether, in the event of the Russian Air Service being granted the formal concession of a route to Kabul *via* Termez in Summer and Kandahar in winter, His Majesty's Government would take up their option for a similar service from India.⁹

Two British Military Intelligence Officers who visited Afghanistan in 1934 were permitted to tour along the new north road, no doubt partly as a demonstration to the Soviet¹⁰.

5. FRONTIER AFFAIRS.

962-A. **Chitral.**—There have been no serious disputes since the Dokalim settlement of 1932. Minor incidents have been satisfactorily settled by the local authorities in accordance with orders received from Kabul.

¹ N. P. 44 in File No. 83-F./34.

² Letter No. D3956-F/37.

³ Paras. 1202-1203.

⁴ Paras. 1285-1288.

⁵ Para. 1204.

⁶ Paras. 1213-1219.

⁷ Despatch from Minister, Kabul, to F. O., London, No. 107, dated 1st August 1936 (A. S. LX, 264).

⁸ Paras. 1080 and 1286.

⁹ Para. 1229.

¹⁰ Annual Report for 1934 (A. S. LV, 260), para. 258.

963. **Bajaur.**—Nothing of importance has occurred since 1933.

964. **The Mohmand Border.**—The Mohmand operations of 1933 are mentioned in Paragraph 913.

In the Bohai Dag area on the Mohmand border the boundary between the two countries has not been finally settled, and a number of tribes on the British side of the Durand Line are known loosely as 'Afghan Mohmands'. As there was a likelihood of these tribesmen engaging in direct hostilities with the British force, the Afghan Government agreed in 1933 that the Government of India might in emergency take certain forms of direct action with or against them without objection on the part of the Afghan Government. This agreement is known as 'The Gentlemen's Agreement', and is described in Paragraphs 913 and 1005.

965. **The Mohmand operations of 1935.**—There were renewed hostilities between the Mohmands and the Government of India in 1935. Their course is described in the Annual Report for 1935 as follows:—

“Early in August working parties of Mohmands on the Gandao road were fired on by certain members of the lower Mohmand tribes who were apparently dissatisfied over the distribution of contracts for the repair of the road. The incident in itself was of small importance but it gave to Badshah Gul I an opportunity to assert himself in lower Mohmand country and to show the Safis of the Upper Mohmands that he was prepared to take some action against Government in return for the action they had taken to force the Safis to abstain from harbouring outlaws. He came down from Lakarai with a following of some fifty Safis. In a few days the lashkar had swelled to two thousand, and under the direction of Badshah Gul, who stated that he had the support of the Afghan Government, and his following of out-laws, began to break up and destroy the road. Action was taken by land and air to disperse this lashkar, which after some resistance was driven back to the Nahakki and Khapak passes by the end of August.

Early in September it was decided to advance over the Nahakki Pass into the country of the Upper Mohmands and His Majesty's Minister was instructed to inform the Afghan Government of this. He was at the same time to emphasise that this forward movement was limited in its objective to the necessity for meeting the continued defiance of the Upper Mohmands and for the protection of the Gandao valley. The opportunity was at the same time to be taken to re-affirm the agreement of 1933 whereby the Afghan Government consented to His Majesty's Government taking necessary measures to defend themselves from attack by the Afghan Mohmands of the Bohai Dag across the presumptive border.

The situation was however not what it had been in 1933. The action already taken, and particularly the operations by air against the Mohmands, had filtered through to the Eastern Province and had reached Kabul. However reasonable and indeed humane it may be in fact, there is no doubt that air action has a most unfortunate effect on uninstructed public opinion. Excitement had from the outset of the operations begun to spread in the Eastern Province, and in spite of the rather half-hearted efforts by the local authorities detachments of Afghan subjects had moved across to join their fellow tribesmen on the Nahakki and Khapak passes. In Kabul holy war was already being talked of and the Government was being looked on askance for its apparent indifference to the cause of Islam. The Afghan Government, remembering perhaps the disastrous effect on public opinion of the Mohmand operations of 1933, were in no mood to acquiesce in proposals

for carrying the war across the presumptive border, and attempted to repudiate the agreement of 1933 while at the same time affirming their grave apprehension at the proposals for an advance over the Nahakki.

A few days later they published in the semi-official newspaper 'Islah' an article of outspoken criticism against the 'forward movement' on the Indian side of the border, which they characterised as unnecessary and dangerous. The effect of this article was to allay Afghan suspicion against their own Government, and to increase local excitement against the Government of India. Within a day or two of its publication the Afghan Government received a copy of the proclamation to the Mohmands by His Excellency the Governor of the North-West Frontier Province, and impressed by its moderate tones and lenient terms, they made every endeavour to allay excitement among the Shinwaris who were said to be on the point of rising, and to persuade Badshah Gul to leave the scene of hostilities. Their efforts met with some success but on the 30th of September an attack was made by Afghan Mohmands from across the presumptive border on the British forces. It was indeed fortunate that the action which ensued was immediately followed by a request for peace by the Afghan Mohmands. The successful negotiations which followed led not only to the cancellation of the orders for air action across the presumptive border, but also enabled the Prime Minister in Kabul to refuse without difficulty a second and more imperative demand by the mullahs of Kabul for the proclamation of holy war.

The terms of peace which included an announcement that the road would be continued and completed over the Nahakki pass to Kamalai, and that Government was now free from the restrictions imposed by the Ghalanai agreement, were accepted by the tribes early in October and such bodies of tribesmen as still remained in the Bohai Dag and on the presumptive border soon dispersed. It seems likely that a continuance of hostilities and particularly any form of air action across the presumptive border would have evoked an outburst of dangerous fanaticism in the Eastern and Kabul Provinces, and possibly in the Southern Provinces as well but it was remarkable how very quickly conditions returned to normal once hostilities ceased.

In the course of the peace negotiations a proposal was made that advantage should be taken of the presence of the Upper Mohmand Jirga to raise the question of the demarcation of the Mohmand boundary. It was not pursued, partly on the grounds, that the demarcation of the boundary had never been mentioned as an objective of the present operations and partly because it was obvious that a much increased control, over the Afghan Mohmands, particularly in the Bohai Dag, would have to be obtained by the Afghan Government before any question of demarcation could be raised."

The conclusion of hostilities in 1935 left unsettled the problem of Badshah Gul I. The Afghan Foreign Minister had in a rash moment promised to prevent his ever returning to the Mohmand border. This promise the Afghan Government were unable to fulfil¹.

966. **The Khyber.**—In January 1935 the Afridi Maliks and a number of others professing to be representatives, signed petitions in Peshawar accepting a project for the construction of a road into Tirah².

The agreement was repudiated by a large section of the tribe, known as the anti-British or 'serishta' party, and practically no progress has yet been made with the road. In the meantime the 'serishta' party have been

¹ Paras. 1170-1175.

² See D. D. I.'s Weekly Summary No. 4, dated Peshawar, 21st January 1935.

making constant appeals to the Afghan Government and to local Afghan officials to save them from the alleged British intentions. The Afghan Government have given little, if any, encouragement to the various deputations.

There have been a few minor incidents in the Khyber area, and an informal meeting to discuss them, and if possible to effect a settlement, was arranged between the Political Agent, Khyber, and the Head of the Western Section of the Afghan Foreign Office in March 1936.

The discussion included references to unimportant violations of the frontier near Torkham by individual officers and men, over which the local Afghan authorities seemed to have shown some lack of accommodation.¹

967. The Kurram.—There have been constant minor incidents on the Kurram border, but no major incident since the invasion of the Kurram by Afghan lashkars in 1930. Two important Joint Commissions have been held in the Kurram, one in August 1933² and the other in June 1936³. Both of these were for the settlement of a large number of outstanding cases. A third was appointed in the summer of 1934 for enquiry into one particular case, the shooting of a Kurram tribesmen in Kurram Territory by Afghan soldiers, but took cognizance also of two or three other cases⁴.

The perennial question of theft and smuggling of timber from Afghan forests into the Kurram Agency remains unsettled. The Afghans are unable to stop it themselves and are not satisfied with the efforts which the British authorities make to help them⁵.

968. North Waziristan.—(i) The principal causes of friction, the anti-Nadir agitators who were working in Waziristan, were mostly removed from the area by the end of the winter of 1933-34 (Paragraph 916). There has been a certain amount of trouble since then over the movements of "Pak", the last remaining principal agitator. Much disciplinary action has been taken against the Madda Khel tribe on charges of harbouring him and of deceiving the British political authorities. In consideration of possible reactions in Afghanistan, military action against the tribe has not been taken. The Prime Minister was informed both in 1934 and in 1935 of the action intended to be taken, and of the reasons for not taking military action, and expressed himself satisfied (See Chapter XII, Co-operation).

(ii) An engagement between Torobo Ghilzais (Afghan subjects) and the Tochi Scouts in January 1934, in which casualties occurred on both sides, was not allowed to become an international incident. The Afghan Government were considerably embarrassed by the protests of their subjects, but kept their representations to the British Minister within bounds⁶.

(iii) In June 1935 the Hassan Khel tribe became on bad terms with the Government of India, were subjected to blockade and other forms of punishment, and large numbers of them migrated to Afghanistan. There they made an unmitigated nuisance of themselves, and the Afghan Government had half a mind to transport them to Kataghan if they did not soon make terms with the Government of India. The Prime Minister, with the concurrence of the Government of India, sent for some of their leading maliks and told them so. They have since returned to their own country and accepted the orders of settlement passed on their case in the autumn of 1936⁷. It remains to be seen whether or not they will abide by their undertakings.

"In February 1934 minor raids by Wazirs from the Indian side of the line across the Khost border led to representations by the Afghan Government, who were eventually informed that the case would be heard by the British authorities at Miranshah if the complainants came there to prosecute. The Afghan Government's reply was that, in view of the propaganda to which the Ghilzai case had given rise, they could not accept this proposal, but must ask for a joint Commission, which would, in the eyes of their people, ensure the adequate representation of Afghan interests⁷." The Commission has not yet met.

¹ A. S. LV, 67 and 82.

² Paras. 1126-1128.

³ Paras. 1129-1130.

⁴ Para. 1097.

⁵ Annual Report for 1935, para. 265, cf. Kabul letter No. 352/11, dated 10th July 1928 (A. S. XXIV, 115-A) and Counsellor's Memo. No. 123 of 2nd July 1935 (A. S., LVII 77).

⁶ Para. 1036.

⁷ Annual Report for 1934 (A. S. LV, 260), para. 294.

969. South Waziristan.—The centre of international interest in South Waziristan has been 'Brigadier' Abdulla Jan, a British tribesman who drew Afghan allowances and held Afghan military rank as a reward for his services during the Rebellion. Military and aerial action had to be taken against him by the Government of India in 1936, as a result of which he fled to Afghanistan. He was taken by the Faqir of Shewa, a holy man of the Tochi Agency, to Kabul, but there, instead of being treated as an absconding criminal and deported to the North, he was at first treated as having arrived 'on safe conduct' and the Afghan Government seemed inclined to negotiate through diplomatic channels on his behalf. The Government of India were disinclined to accept this plea, and at the moment of writing it looks as if Abdulla Jan is to be permanently detained in Afghanistan¹.

In June 1935 Base Gul, a British tribesman but an Afghan Khassadar, murdered a clerk in Wana Camp and fled to the Afghan side of the border. Requests for his arrest were made, in accordance with the usual practice to the Afghan Government.

He has since been sometimes on one side of the border and sometimes on the other, and has not yet been arrested by either Government².

970. The Baluchistan Border.—Accumulated cases were referred to a joint Commission in 1936, the findings and recommendations of which had not been ratified by the time of the compilation of this volume³.

The most serious case was an attack by a gang of British outlaws and Afghan subjects, led by Pale, a Khosti Kibzai outlaw, on the mail lorry on 27th April 1935⁴.

D. FOREIGN RELATIONS—II. OTHER COUNTRIES.

971. Turkey.—Relations between Turkey and Afghanistan became more cordial than they had been during King Nadir Shah's reign, and Afghanistan's entry into the League of Nations was made under Turkish auspices. "The natural causes of the rapprochement were to be found in the sympathy inevitably existing between two Oriental Governments which were engaged simultaneously though with very different degrees of success, in the pursuit of the nationalist ideal, the turcophile tendencies of the Afghan Foreign Minister, and the charming and courteous personality of the new Turkish Ambassador, Memduh Shevket, who presented his credentials in February 1934. Closer relations with Turkey were also deliberately sought by the Afghan Government, not merely with a view to securing a favourable award in the arbitration proceedings on the Persian frontier, but also as a means of permanent insurance against possible future aggression on the part of Persia in the direction of Herat"⁵. On the other hand the Turks gained little ground in popular estimation, and the arbitration award, when it was finally published in 1935 seemed to the impartial reader to favour Persia rather than Afghanistan.⁶

972. Russia.—The exchange of diplomatic representatives between Afghanistan and Japan was regarded by the Soviet authorities as a sign of the failure of 'their policy of sabre rattling and bluster'⁷. Their activities from that time onwards were confined almost entirely to a steady effort to capture Afghan markets and to secure as large a share as possible of Afghan exports. The situation at the end of 1935 was described in the Annual Report as follows⁸ :—

"The Union of Soviet Socialist Republics continue to increase their trade with Afghanistan, and were the Government not determined to prevent it, their economic penetration of the country would no doubt soon be complete. They give every facility for trade and it is estimated that the export of Afghan

¹ Paras. 1176-1180.

² Para. 1167.

³ Para. 1131.

⁴ Para. 1115.

⁵ Annual Report for 1934 (A. S. LV, 260), para. 209.

⁶ A. S. LIX, 105A and 226, para. 229.

⁷ Despatch from Minister, Kabul, to F. O., London, No. 104, dated 8th September 1934 (A. S. LIV, 212).

⁸ S. No. 1, F. No. 290-F/36, para. 51.

raw material to their territories has increased six-fold during the last few years. They buy Persian lamb, wool and cotton, for which they give good prices and pay promptly, usually partly in cash and partly in kind, and sell sugar and petrol under agreements, to which reference has already been made. It is reported that at their frontier stations on the Oxus large notices are displayed giving the daily rates of Russian and Afghan goods as assessed for purposes of barter. The bazaars particularly in the north are full of their piece-goods and other manufactured articles. The Government in order to maintain their economic independence continue to draw a considerable portion of their petrol requirements from India, though at a loss to themselves, and it is perhaps for the same reason that Java sugar is still purchased in considerable quantities. It may also be surmised that it is from the same motive that the Government allow the flow of cheap goods from Japan into Afghanistan to continue unchecked, although up to the present the former country appears to have taken nothing in return. Were India able to supply equally cheap goods they would probably be preferred to the Japanese ones."

973. The Prime Minister, however, showed himself determined to resist at all costs the political penetration which the Soviet authorities intended to go hand in hand with their economic penetration. Their efforts to obtain a new Commercial Treaty, an extension of the existing air-service to Herat and Mazar-i-Sharif, a recognition in more regular form of their right to fly over Northern Afghanistan and other concessions all met with rebuffs.

974. M. Stark's spring visits to Jalalabad became quite an annual incident. On each occasion an informal oral protest was made to the Afghan Government by the British Minister,¹ and a more heated and personal protest by M. Stark himself against the closeness of the supervision to which he was subjected². Early in 1935 M. Stark hinted that he would like to visit India. The Government of India did not at all like the prospect, but felt that as he was the Ambassador of a nominally friendly power they could not refuse him admission³. The visit did not materialise.

(M. Stark has now left Kabul and been replaced by M. Skwirsky, who has also hinted that he wishes to visit India.)

975. In the course of his tour to Europe in 1936 Sardar Faiz Mohammad visited Moscow and Leningrad as a guest of the Soviet Government. He took care to visit the British Ambassador at Moscow, to whom he gave an amusing account of his impressions⁴. During his visit to Moscow he signed a Protocol providing for the renewal for another ten years of the Neutrality and Non-Aggression Pact which had been concluded between the two countries in 1931⁵ (Paragraph 920).

976. The Russian Government have not abandoned their interest in locusts. Mention has been made elsewhere of the suspected activities of Russian locust experts in Afghanistan⁶.

In May 1935 a Locust Agreement was signed between the two countries. One of its provisions is for the employment of Soviet experts in Afghan Territory in certain necessities. It is to remain in force for three years⁷. An official report of the Afghan Government dated 15th January 1936 was to the effect that locusts had completely disappeared from Afghanistan⁸.

977. **Russian Economic Penetration.**—Russia managed to buy almost the whole of the 'Persian lamb' exports for 1934, negotiations with British firms in London having fallen through. London, however, obtained a bigger share of the trade the following year, and the Hudson's Bay Company, London, seems likely to do a good deal of business in future.

¹ Tele. from I. O., London, No. 782, dated 9th March 1935 (A. S. LV, 300).

² Tele. from C. d'A, Kabul, No. 278, dated 18th March 1935 (A. S. LVI, 39).

³ Tele. to I. O., London, No. 359, dated 9th February 1935 (A. S. LV, 212).

⁴ A.S. LX, 50 and 99.

⁵ Despatch from Minister, Kabul, to F. O., London, No. 70, dated 21st May 1936 (A. S. LX, 116).

⁶ Para. 925-A.

⁷ Despatch from Minister, Kabul to F. O., London, No. 51, dated 16th April 1936 (A. S. LX, 16).

⁸ Despatch from Minister, Kabul to F. O., London, No. 16, dated 31st January 1936 (A. S. LIX, 146).

Penetration of the northern markets by Russian goods has proceeded apace, and these goods have owing to their cheapness reached the southern markets of Jalalabad, Kabul and Kandahar, where however they have found themselves in competition with Japanese goods of similar type.

The U. S. S. R. have tried continuously to get the Afghan Government to enter into a Commercial Treaty with them.

A copy of the Trade Agreement concluded in May 1936 between the Russian Company known as the Afghan Soov Toorak and the Ashami Company, both of which are in reality state controlled, is to be found as an enclosure to S. No. 133, Afghan Series LXI. It is for a period of three years and provides for the exchange of wool, cotton and raw opium from Afghanistan against cotton textiles, loaf sugar, petrol, kerosene oil and other commodities from Russia to the total value of 10 million dollars.

978. Persia.—Relations between Afghanistan and Persia were outwardly friendly¹, but there were three major causes of friction over which feelings were far from good. These were the Helmand irrigation dispute, which had been pending for years, the question of the demarcation of the frontier near Musabad, and the “Zorabad” incident. The Helmand irrigation dispute remained unsettled at the close of the period. The demarcation of the Frontier near Musabad was referred under Article 10 of the Perso-Afghan Treaty of 1921 to the arbitration of the Turkish Government. The arbitration award was published in May 1935. It was coldly received by the Afghan Press and seems to have been, if anything, slightly in favour of Persia, or Iran, as the country had by that time become officially named². The “Zorabad” incident had been announced from Persia as an unprovoked attack by Afghan tribesmen supported by regular troops on the Persian frontier village of “Zorabad”. The Kabul newspaper “Islah” had strongly denied the accusations³. A Commission of Enquiry met on the frontier early in January 1935. The members were on the Afghan side the Minister of Justice and the Ambassador at Tehran, and on the side of Iran the Minister of the Interior and the Ambassador at Kabul. Its findings supported the Islah’s version of the incident. The Iranian Ambassador concerned was immediately recalled, ostensibly on the grounds of ill-health, and there is little doubt that his Government were displeased with him.

979. Japan.—The new Japanese Minister and his staff arrived in Kabul in November 1935. The staff have busied themselves in trade matters, sparing no pains to promote Japanese trade in Afghanistan. At the same time the Japanese Minister’s conversations with Colonel Fraser-Tytler have left little doubt on the latter’s mind that “though the promotion of Japanese trade in Afghanistan might be an important consideration for economic reasons, more important in his eyes was its value as a counter to the Soviet economic penetration of the country, and that he hoped for the assistance of the Government of India in his efforts to develop it for this purpose.”⁴

980. Germany.—Said Kamal, who had murdered the Afghan Minister in Berlin on 6th June 1933, was not executed until January 1935. Partly on account of this delay, and partly because the Prime Minister regarded Germany as anti-monarchical, German stock in Afghanistan was low throughout 1934. In 1935 and 1936 relations improved. Afghanistan has made heavy purchases of war material and industrial machinery since the German Government created an export credit of 6½ million marks in her favour in 1935. This was in spite of the fact that the credit of 6 million marks granted to King Amanullah’s Government had not yet been fully liquidated⁵.

981. United States of America.—The United States’ Minister at Tehran visited Kabul, to which Court he is also accredited, in April and May 1935. He told the British Minister that the United States of America, although having no political interests in the country, had decided that it was time to

¹ A. S. LV, 260, paras. 321 and 326 and A. S. LIX, 226, paras. 300 and 301.

² Annual Report for 1935, para. 299 (A. S. LIX, 226).

³ Annual Report for 1934, para. 325 (A. S. LV, 260).

⁴ Annual Report for 1935, Encl. to Kabul Despatch No. 31, dated 7th March 1936 (A. S. LIX, 226) para. 319.

⁵ Para. 1319.

recognise Afghanistan by the despatch of a formal mission which would draw up a convention of mutual recognition and friendship. His own visit was a visit of goodwill and enquiry¹. The conclusion of a treaty of friendship between the United States and Afghanistan was announced in March 1936. The treaty was signed in London and was little more than formal. It is provisional and only in force for two years as an experimental measure, a precaution on which the American Government insisted².

During 1936 Mr. Hart, representative of the Inland Development Company of America carried out protracted negotiations with the Afghan Government for an oil concession to cover prospecting for oil throughout Afghanistan. Negotiations were not completed at the end of the period under review.

The Afghan Government announced in April 1936 that the American Consul-General, Consuls and Vice-Consul in India had been appointed as Consul-General, Consuls and Vice-Consul respectively at Kabul³.

E. POLICY OF HIS MAJESTY'S GOVERNMENT AND THE GOVERNMENT OF INDIA TOWARDS AFGHANISTAN.

982. Material Aid.—No further present on a large scale has been made by the Government of India to Afghanistan since the gifts of rifles and grant of long-term loans to King Nadir Shah's Government⁴. Facilities have however been granted for the Afghan Government to buy rifles and ammunition against payment by instalments⁵, and similar facilities are likely to be given in the matter of aeroplanes⁶. Other forms of material help include the despatch of anti-cholera vaccine and anti-rabic serum to Kabul, an offer to train ten pilots and mechanics for the Afghan Air Force, present of a sample machine-gun, loan of the services of technical experts, etc., etc.⁷

983. Courtesies.—The latest rules for courtesies and facilities to be accorded to distinguished Afghan personages passing through India are contained in Memorandum No. F. 22/F/36, dated Simla, 10th July 1936⁸, which is as follows :—

“Courtesies and facilities to be accorded to distinguished Afghan personages transiting India.—The Government of India have had under consideration the question of revising the existing orders regarding the grant of courtesies and facilities to distinguished Afghan personages in transit of India. They have decided that, in consequence of changed conditions, the existing orders which are contained in the memoranda noted below, are inadequate in certain respects and that in future the procedure indicated in the following paragraphs should be followed :—

1. Memorandum⁹ from the Government of India in the Foreign and Political Department to certain Local Governments and Administrations, No. F. 379-F/31, dated the 27th July 1931.

2. Memorandum⁹ from the Government of India in the Foreign and Political Department to certain Local Governments and Administrations, No. F. 379-F/31, dated the 3rd November 1932.

2. Afghan personages in transit of India on their way to and from Afghanistan may be divided into the following classes :—

(A) Brothers of the late King Nadir Shah ;

(B) The Afghan Minister accredited to London on his way to or from his post and whether travelling on duty or not, the Minister of Court and the Foreign Minister, travelling on duty ;

¹ Despatch from Minister, Kabul to F. O., London, No. 61, dated 24th March 1935 (A. S. LVI, 293).

² Despatch from Minister, Kabul to F. O., London, No. 88, dated 29th June 1936 (A. S. LX, 215).

³ Despatch from Minister, Kabul to F. O., London, No. 72, dated 23rd May 1936 (A. S. LX, 119).

⁴ Para. 890.

⁵ Para. 1213ff.

⁶ Paras. 1223-1225.

⁷ Para. 1200, see also Ch. XVI.

⁸ A. S. LX, 220.

⁹ In File No. 379-F/31.

- (C) Afghan Ministers accredited to foreign Governments on their way to or from their posts and all members of the Afghan Cabinet other than those already mentioned, travelling on duty ; and
- (D) Other Afghan notables.

3. The Courtesies to be accorded are indicated below—

Class (A)—

- (i) Provision of free railway accommodation (one reserved saloon or two compartments, not special train),
- (ii) free conveyance by road,
- (iii) free hotel accommodation,
- (iv) being met on arrival and,
- (v) “ ahwal pursi ” by such officer as the local Government may consider suitable.

Class (B)—

All the courtesies and facilities of class (A) except that as regards railway accommodation they need only be provided with a single reserved compartment.

Class (C)—

They should be met on arrival by an officer or official of suitable status, who should in general be of lower rank than those selected for similar duty with classes (A) and (B).

Class (D)—

It has been usual to accord them only such consideration in respect of their luggage at seaports as the Customs authorities may be prepared to give to other distinguished foreigners, for which of course the separate orders of the Government of India are necessary in each case. They have also usually been met on arrival by a subordinate official and afforded other reasonable assistance on their journey. The continuance of this practice is regarded by the Government of India as desirable.

4. All Afghan Heads of Missions and Afghan diplomats other than Heads of Missions in transit through India are allowed the privilege of having their baggage passed through the Customs free of duty and without examination, the privilege being limited to journeys undertaken on duty, except in the case of the Afghan Minister accredited to London, who is entitled to the privilege irrespective of whether he is travelling on duty or not. Afghan Heads of Missions are also exempted from the necessity of signing baggage declarations but such declarations should be obtained from Afghan diplomats other than Heads of Missions.

5. The grant of these courtesies and facilities is of course dependent on the receipt by the Local Government concerned of reasonable notice of the prospective arrival of the individual to whom it is intended that they should be accorded. This the Government of India will endeavour to arrange through His Majesty's Government or His Majesty's Minister, Kabul, as the case may be ”.

983-A. Cultural Propaganda.—In 1930¹ the London Foreign Office addressed all His Majesty's representatives abroad on the subject of cultural propaganda. Sir Richard Maconachie replied at the time to the effect that he did not think conditions in Afghanistan were favourable for such propaganda. In 1935 however, the Afghan Minister of Education himself suggested² that presentations of books by His Majesty's Government to departmental and school libraries would be welcomed. Colonel Fraser-Tytler recommended that gifts of books should be made to the Habibia College in which English is the medium of instruction, by both His Majesty's Government and the Government of India. The Government of India sanctioned

¹ Note page 2 in F. No. 533-G/35.

² Note page 2 *ibid.*

the expenditure of Rs. 500¹ for this purpose while His Majesty's Government approached the British Council who agreed to make a grant of £50² for the year 1936-37; Colonel Fraser Tytler also suggested that the British Council should grant a few scholarships to Afghan students to enable them to study in England, but this proposal was rejected for want of funds³. In framing proposals for cultural propaganda in Afghanistan, regard has always been had to the fact that whatever the Afghans accept from us they may also be compelled to accept from the Russians.

BRITISH ATTITUDE TOWARDS RUSSIAN COMMERCIAL PENETRATION.

984. Grant of "Free Transit" facilities.—It has in recent years become clear to the Soviet authorities that they have little hope of diplomatic success while the present régime remains firm in Afghanistan and they have turned their attentions instead to commercial penetration⁴. Their endeavours, as the Afghan Prime Minister sees them, are by purchasing the bulk of Afghan products, such as 'Persian lamb', cotton and wool, to achieve control of the whole of Afghan foreign trade, and through such control to effect by an easy development either political predominance in the present Kingdom or else the overthrow of that Kingdom, to be followed by the institution of an Afghan republic which could be absorbed into the Soviet Union. The door to India would then be open⁵.

985. The present Afghan Government are as anxious as any one else to avoid the establishment of Russian influence in Afghanistan⁶. Their commercial policy, working through the Ashami and other state controlled companies, is designed to make the greatest possible use to themselves of Russia's anxiety to trade with them, but at the same time to maintain and encourage trade relations with other countries to an extent which will ensure that they shall never become solely, or even mainly, dependent on Russia for their foreign trade⁷. For this reason, as well as for others, they have sought the help of His Majesty's Government both for their export trade and for building up their home industries. The help for which they have asked has been particularly

- (i) The grant of credits for bringing machinery and certain raw materials.
- (ii) Loans or credits to help establish industries in Afghanistan.
- (iii) "Free transit" of imports through India⁸.

986. The Government of India and His Majesty's Government have not yet proved willing to take the financial risks involved in (i) and (ii) but have accepted the principle of "Free Transit". Their reactions to these requests are discussed in Chapter XXII, Trade Questions. For the purpose of this paragraph the important point to note is that the Government of India were influenced in agreeing to "free transit" by the considerations that the maintenance of the present régime in Afghanistan was of great importance to India.....as a defence against the major danger involved by the closer approach of the Soviet Frontier to the Indian Frontier⁹, and that if there were no Government in Afghanistan 'the Soviet would take the opportunity of absorbing politically and commercially the Northern Provinces of Afghanistan'¹⁰.

987. Another method by which it has been suggested that the Government of India might encourage trade between India and Afghanistan is

¹ Note page 19 in File No. 533-G./35.

² Note page 70 *ibid*.

³ Note page 72 *ibid*.

⁴ Para. 972.

⁵ S. No. 82, File 575-F/34, Encl. II.

⁶ Para. 950.

⁷ Para. 1265.

⁸ Paras. 1202, 1203 and 1284.

⁹ Order-in-Council, dated 20th March 1935.

¹⁰ Note by F. S., dated 19th March 1935, Note page 20, File 575-F./34.

the offering of concession rates by the railways on certain classes of trade goods going from India to Afghanistan¹. This suggestion has so far been adopted only in the case of petrol.

988. The export duty levied at Indian ports on 'Persian lamb' was removed in the spring of 1934² with a view to encouraging the trade in the direction of London rather than Russia.

989. **Proposed Indo-Afghan Air Service.**—The possibility of starting an Indo-Afghan Air Service from Delhi-Lahore-Peshawar to Kabul has again been under consideration—this time at the suggestion of the Afghan Government. The question is for the moment in abeyance³.

989A. **Observance of Article XI of the Treaty.**—The Government of India have continued to be scrupulous over the observance of Article XI of the Treaty and have communicated to the Afghan Government any projected movements which might possibly have been considered to come under it⁴. Any actual reference to Article XI is, however, carefully avoided in the making of these communications⁵.

CONTROL OF PROPAGANDA HOSTILE TO AFGHAN GOVERNMENT.

990(i). **Control of the Press** and other forms of hostile propaganda during King Nadir Shah's reign is mentioned in Paragraph 906. The arrest and removal from the Frontier of Ghaus-ud-Din, and Abdul Hakim are discussed in Paragraphs 816 and 1150, and the restrictions placed on Ahmad Ratib in Paragraph 1150. In May 1934 the Afghan Government complained that Pir Bakhsh, Abdur Rab Nishtar and Hakim Abdul Jalil, well-known agitators of Peshawar had in a public meeting 'uttered unbecoming words concerning the present Government of Afghanistan, its religious leaders and officials'⁶. They were told in reply that the speeches had not been quite as they had been led to believe, and had not referred either to the present Government of Afghanistan or to its religious leaders or officials. The Government of India made the following additional remarks to the British Minister :—

"As His Majesty's Minister is no doubt aware legal proceedings against Pir Bakhsh or others of his kind for pro-Amanullah activities present considerable difficulties. The Foreign Relations Act cannot be employed unless a very limited class of persons is publicly defamed and the only practical method of preventing such undesirable activities would appear to be the use of Regulation III of 1818. To use this weapon against advanced leaders of the Peshawar intelligentsia for participation in intrigue or propaganda against the Afghan Government might for obvious reasons defeat its own object. It is therefore extremely unlikely that Pir Bakhsh or others will for practical purposes expose themselves to legal proceedings"⁷.

(ii) "**Pak**", North Waziristan.—As mentioned in paragraph 916 "**Pak**" one of the anti-Nadir or pro-Amanullah, or otherwise generally troublesome, agitators of the Tochi-Khost border remained at large at the end of 1933. He was living sometimes on one side of the border and sometimes on the other, and the Government of India were satisfied that he was frequently in Madda Khel country. To put a final stop to the anti-Afghan agitation of which he seemed to be the centre, the Government of India proposed going to the length of moving troops into Madda Khel country and building a road which would enable them to deal promptly with the tribe in future, should there be any necessity to do so⁸. The Afghan Prime Minister

¹ Memo. from Minister, Kabul, No. D. 3638-F./33, dated 23rd September 1933, cf. (A. S. L., 254).

² Tele. from Minister, Kabul, No. 60, dated 23rd April 1934 (A. S. LIII, 78).

³ Paras. 1229-1235.

⁴ & c. tele. to Kabul No. 36, dated 7th March 1935 (A. S. LV, 286).

⁵ Cf. F. O. tele. No. 74, dated 22nd August 1935 (A. S. LVII, 231).

⁶ Memo. from Counsellor, B. L. K., No. 368/IV, dated 16th May 1934 (A. S. LIII, 167).

⁷ Memo. to Counsellor, B. L. K., No. D. 3225-F./34, dated 21st June 1934 (A. S. LIII, 270).

⁸ Tele. to I. O., London, No. 268, dated 5th February 1934 (A. S. LII, 118).

pressed strongly for something to be done to relieve the situation, but did not think that any such military action or occupation was necessary and was not at all keen to have it carried out in the name of support to Afghanistan¹. 'Since the paramount consideration at the moment was the stability of the Afghan Government and to avoid giving any opportunity for further propaganda against them'², the Government of India decided to resort in the first place to political pressure only and to defer taking military action till the last resort. The Afghan Government were satisfied with this³. The Madda Khel jirga was summoned and security rifles and hostages were taken from them in March 1934 for their future good behaviour in the matter of "Pak". By the middle of the summer the Government of India were satisfied that the tribe had been fulfilling its obligations, and proposed strengthening their hands by the release of the hostages; the security rifles would be retained. After some discussion the hostages were released.

In the spring of 1935 the Resident again reported that certain members of the Madda Khel tribe had given shelter to Pak within the last six months, and the proposal for sending troops into Madda Khel country and building a road and posts had again to be considered⁴. For reasons similar to those which influenced them in 1934, the Government of India again decided against taking military action. They took the opportunity, however, of telling the Afghan Government that they were quite able and willing to do so, and would reconsider the matter if the Afghan Government so desired⁵. The Afghan Government did not so desire.

During 1935, although "Pak" was not rounded up, his activities seemed to be diminishing and he began to lose importance⁶.

(iii) **Watch kept on Ex-King Amanullah.**—The Government of India have continued to keep themselves informed of *ex*-King Amanullah's movements and to pass on to the Afghan Government such information as they consider sufficiently important. The *ex*-King went on 'Haj' again in 1935. His Majesty's Minister, Jeddah, kept the Foreign Office, London, His Majesty's Minister, Kabul and the Government of India fully informed of all that went on⁷.

PROTECTION OF BRITISH SUBJECTS.

991. **Wages due from King Amanullah's Government.**—(i) After nearly six years of representation on the part by His Majesty's Legation, payment of Rs. 7,14,341 Afghani, Rs. 481-7-0 Indian, and £50 sterling was made in March 1934 by the Afghan Government on account of claims for arrears of salary due to British subjects from the time of King Amanullah⁸. This sum did not represent full payment of the claims.

(ii) Three firms trading in Persian lamb made complaint of losses caused to them by the creation of a monopoly of the trade in 1934. Their grievances were represented by the British Legation and were to a certain extent remedied by the Afghan Government⁹.

(iii) Other important ways in which His Majesty's Legation were able to look after the interests of individual British subjects during the period are mentioned in the Annual Reports for 1934 (Paragraphs 308-313) and 1935 (Paragraphs 280-286). Lorry drivers and sufferers from the new visa rules were the principal classes requiring help.

¹ Tele. from Minister, Kabul to F. O., London, No. 27, dated 18th February 1934 (A. S. LII, 169).

² Tele. to Norwef, No. 427, dated 23rd February 1934 (A. S. LII, 199).

³ Tele. from Minister, Kabul, to F. O., London, No. 32, dated 25th February 1934 (A. S. LII, 206).

⁴ Memo. from N. W. F. P., No. 56-P. S./901(1)-P. S., Vol. X, dated 30th January 1935 (A. S. LV, 176).

⁵ Memo. to C. d'A., Kabul, No. F. 495-P./34, dated 5th March 1935 (A. S. LV, 277).

⁶ Annual Report for 1935, para. 269 (A. S. LIX, 226).

⁷ e.g., Despatch from Minister, Jeddah, to F. O., London, No. 99 (810/358/24), dated 29th March 1935 (Encl. to A. S. LVI, 177).

⁸ Annual Report for 1934, para. 280 (A. S. LV, 260).

⁹ Despatch from Minister, Kabul, to F. O., London, No. 107, dated 17th September 1934 (A. S. LIV, 238).

(iv) The conditions in Afghan jails are very bad. The accommodation is believed to be extremely poor, the food limited, and the sanitation execrable. A number of British subjects detained for trifling offences, such as being without passports, have been confined for long periods, and several of them have died. For instance, in 1935 out of 11 British subjects arrested and confined¹ in Jalalabad 3 died either while in jail or as a result of privations suffered there. On this occasion a protest² was made to the Afghan Government. One result of this state of affairs is that it has been considered unwise to insist too strictly on adequate notice being given in the case of deportations of British Indian subjects to India, as the postponement of a man's deportation may amount to a death sentence. Further, whenever news is received in His Majesty's Legation or one of the Consulates that a British Indian subject is in jail, enquiries are at once made³ regarding the reasons of his arrest and if his offence is of a petty nature the Afghan Government are pressed at frequent intervals to arrange for his release or deportation.

992. Imposition of Customs Regime by Government of India.—“On the 15th September 1934 the Afghan Government were officially informed of the decision to impose a customs régime on the following classes of goods entering India by land, saccharine, cigars, cigarettes, manufactured tobacco, matches, splints, and veneers, silk and artificial silk goods, silver bullion and sheets.

The reasons for this decision were extraneous to trade with Afghanistan on which it seems likely to have little effect.”⁴

993. Prohibition of Re-import of goods on which rebate of Customs duty has been allowed.—One of the problems raised by the present system of granting rebate of customs duty, which is likely to be accentuated after the introduction of “Free Transit”, is the problem presented by the re-import into British India of goods on which a rebate has been paid. As a result of recommendations made by the Nind Trade Delegation which visited Kabul in 1934, the Government of India issued the following two notifications prohibiting the bringing of such goods by land from Afghanistan into British India.

NOTIFICATION BY THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT
(CENTRAL REVENUES), No. 50-CUSTOMS, DATED SIMLA, THE 7TH JULY 1934.

“In exercise of the powers conferred by section 19 of the Sea Customs Act, 1878 (VIII of 1878), the Governor General in Council is pleased to prohibit the bringing by land from Afghanistan into British India of any goods on which a rebate of customs duty has previously been paid.”⁵

NOTIFICATION BY THE GOVERNMENT OF INDIA, FINANCE DEPARTMENT
(CENTRAL REVENUES), No. 51-CUSTOMS, DATED SIMLA, THE 7TH JULY 1934.

“In exercise of the power conferred by section 6 of the Sea Customs Act, 1878 (VIII of 1878), as in force in British India and as locally applied, the Governor General in Council is pleased to appoint the following officers, to be officers of Customs and to exercise the powers conferred and to perform the duties imposed by the said Act on such officers, namely :—

The Frontier Customs Officer, Chaman.

The Border Examiner at Chaman.

The Frontier Customs Officer, Peshawar.

¹ S. No. (42) in File No. 713-F./32.

² S. No. (48) *ibid.*

³ *Vide* encl. to S. No. (3) in F. No. 31-F./35.

⁴ Economic Report for 15th June to 15th October 1934 (A. S. LIV, 288).

⁵ A. S. LIV, S. No. 28.

The Border Examiner at Landikotal.

The Frontier Customs Officer, Thal.

The Border Examiner, Parachinar".¹

Instructions for working the notification are in Afghan Series, Part LIV, Serial No. 50.

Motor vehicles used for the transport of passengers from Afghanistan to India were excluded from the province of the notification.

994. Transit of Afghan Opium.—The circumstances in which the Government of India allowed export of opium from Afghanistan through India during King Nadir Shah's reign are mentioned in Paragraph 938. The question was considered again in June 1935 when it seemed possible that Afghanistan might be developing a trade in opium destined not for Kwantung, to which it was addressed, but for Manchuria. To permit transit of opium destined for Manchuria would be contrary to the Government of India's international obligations². After considering arguments advanced by His Majesty's Minister, Kabul, the Government of India saw no necessity to bring odium on themselves by taking up responsibilities which really belonged to the League of Nations³. It was eventually decided by His Majesty's Government that the arguments in favour of permitting transit were decisive, that there was no necessity to ask the League of Nations for a decision, and that the Government of India ought to continue to honour import certificates issued by the appropriate authority in the Kwantung Leased Territory.⁴

Recent information shows that the cultivation of the poppy in Afghanistan is on the increase. Consignments of opium from Afghanistan are taken by Germany, England and Japan. Permits for their transit are granted on receipt of the prescribed certificates,⁵ and information of any large transaction is usually given to the League of Nations.⁶

995. Exchange of Meteorological Observations.—In November 1936 the India Meteorological Department, in the hope of improving the forecasting of weather over Northern India, suggested that the Afghan Government might institute meteorological observatories in their own country, between which and India meteorological observations would be exchanged⁷. His Majesty's Minister has mentioned the matter to the Afghan Government, who have to consider the cost before coming to any decision⁸.

996. Attitude towards development of roads in the neighbourhood of the joint Frontier.—The Government of India has on occasion had its attention drawn to the proposed construction by the Afghan Government of roads in the neighbourhood of the Durand Line in the more remote portions of the common frontier. The Afghan Government seemed at one time to be contemplating building a road in the Southern Province up to Musa Nikka. The Government of India lost no time in pointing out that Musa Nikka was on the British side of the Line: they were ready to welcome the construction of the road in Afghan limits up to the Durand Line, but could in no circumstances agree to its construction by the Afghan Government on the Indian side of the line.⁹

Similarly in 1935 when the Afghan Government talked of making a road to Birkot on the Kunar, on the Chitral border, and seemed to hope that the Government of India would construct a road to link up with it on the Indian side of the line¹⁰, His Excellency the Governor of the North-West Frontier

¹ (A. S. LIV, S. No. 29.)

² A. S. LIV, 76 and 181.

³ Express letter to I. O., London, No. F. 442-F./34, dated 30th September 1935 (A. S. LVIII, 149).

⁴ Letter from I. O., London, No. P. Z. 1789/36, dated, 27th March 1936 (A. S. LIX, 272).

⁵ Cf. Para. 938.

⁶ Cf. No. F. 1-F./36 of 16th January 1936, S. No. 6 on file.

⁷ Memo. to Minister, Kabul, No. D. 4345-F./36, dated 5th November 1936 (A. S. LXI, 170A).

⁸ Express letter No. 294, dated 11th December 1936 from Minister, Kabul.

⁹ Memo. to Minister, Kabul, No. D. 1773-F./35, dated 23rd May 1936 (A. S. LVI, 278).

¹⁰ D. O. No. 884(E), dated 29th March 1935 from B. L., Kabul, notes page 9, File 267-F./35.

Province gave his vote emphatically against the latter proposal. He felt that in the result of the construction of such a road would be—"in peace time the diversion of a small but valuable trade from India to Afghanistan, in time of war the probable loss of Chitral".¹ The General Staff, India, supported this view.²

997. Jew Refugees from Afghanistan.—The removal of Jews from the Northern Provinces in 1934 gave rise to considerable correspondence with the Afghan Government. This opened with a request from the Foreign Minister in February that some six hundred Jews who had arrived at Kabul from the north should be allowed to proceed to India. The Afghan Government were informed in reply that only a limited number of these refugees, possessing certain qualifications, could be admitted into India, and facilities to this extent were subsequently given in consultation with the Government of India and the Government of the North-West Frontier Province. In the course of the year some thirty-five families, for whom the necessary immigration certificates had been received, left the country for Palestine.

998. Training of Afghan Medical Students in Calcutta.—By the permission³ of the Government of India ten Afghan Medical Students were received for training in Calcutta in January 1936⁴. The party were well received and treated and the Afghan Government expressed their thanks for the courtesies and facilities extended to them⁵. A second batch was to be sent to Bombay in December 1936⁶.

One of the difficulties in the way of proper training in Afghanistan is the opposition of the Mullahs to *post mortem* dissections of the human body.

The Afghan Government paid all expenses and only asked for accommodation and facilities for study⁷.

999. The Torkham Water Supply.—There has been much correspondence over the Torkham water supply, the Afghans constantly claiming more than it is possible for the Military Engineering Services to give them⁸. The obligation on the Government of India to supply water in reasonable quantities depends on Article II of the Treaty, but as the Afghan garrison has been increasing and the supply of water in the springs decreasing, it has been more and more difficult every year to satisfy the Afghans. In April 1935 the Government of India ordered that future complaints should be dealt with by higher authority and not be the subject of correspondence between local officials⁹. A few days later they asked the Minister to pass on to the Afghan Government certain information¹⁰ which showed that the Military Engineering Services were over-supplying rather than under-supplying them.¹¹

1000. In April 1936 the Administration of the North-West Frontier Province, to whose accounts the charges for supplying this water were debited proposed to fix a specific quantity of water (20,000 gallons a day) beyond which water should not be supplied to the Afghans except on payment¹². Final orders had not been passed on this suggestion by the time this Volume was compiled.¹³

¹ D. O. Letter No. 1975-P. C. 1522, dated 19th June 1935, notes page 38, F. No. 267-F./35.

² Notes page 56, *ibid.*

³ Tele. to Minister, Kabul, No. 423, dated 21st December 1935 (A. S. LIX, 78).

⁴ Tele. from Minister, Kabul, No. 147, dated 30th December 1935 (A. S. LIX, 95).

⁵ Memo. from C. d'A., Kabul, No. 986, dated 15th May 1936 (A. S. LX, 91).

⁶ Tele. from Minister, Kabul, No. 609, dated 6th November 1936 (A. S. LXI, 173).

⁷ Tel. from Minister, Kabul, No. 140, dated 11th December 1935 (A. S. LIX, 52).

⁸ Memo. from N. W. F. P. Govt., No. 3456-P. N./29/36-P., dated 9th July 1934 (A. S. LIV, 43).

⁹ Memo. from N. W. F. P. Govt. No. 11196/29/36-P., dated 8th April 1935 (A. S. LVI, 130).

¹⁰ Memo. from N. W. F. P. Govt. No. 12668-P./29/36, dated 20th April 1935 (A. S. LVI, 170).

¹¹ Memo. to Counsellor, B. L. Kabul, No. D. 1707-F./35, dated 7th May 1935 (A. S. LVI, 230).

¹² Memo. from N. W. F. P. Govt., No. 12749-P/29/36, dated 7th April 1936 (A. S. LIX, 287).

¹³ Memo. from N. W. F. P. Govt., No. 22911/29/36-P., dated 15th September 1936 (A. S. LXI, 38).

PART II.
Current Problems.

CHAPTER VI.

THE BOUNDARY IN MOHMAND COUNTRY.

1001. **Origin of the Presumptive Border.**—The Boundary in Mohmand Country is no nearer demarcation than it was when Chapter XIX of the Précis on Afghan Affairs was written. There have however been important developments with regard to control of the tribes living between the Presumptive Border and the Durand Line, and a slight modification of the line showing the Presumptive Border on the map. There are two important lines on the map, the Durand Line and the Presumptive Border. Neither of them has been demarcated on the ground. The Durand Line is the line shown in the map attached to the Durand Agreement of 1863. The Amir Abdur Rahman declined to accept this as the boundary in Mohmand country, and the Presumptive Border is a line intended to show the Eastern and Southern boundaries of certain villages which the Viceroy in 1896 offered to concede to the Afghans. These villages are known collectively as the Bohai Dag, and are inhabited mainly by Baezai and Khwaezai Mohmands. The Mitai Musa Khel, an important section of the Baezai tribe, live to the North of this area, have close relations with India, draw British tribal allowances, and are included with the 'assured clans', or clans to whom an assurance that they will remain under British influence has been given.

1002. **The Question Re-opened.**—During the Mohmand troubles of 1932 (see para. 913 above) the Government of India anticipated an attack on Government's forces, or on tribes friendly to Government, by the Baezai and Khwaezai tribes of the Bohai Dag. His Majesty's Chargé d'Affaires was instructed to draw the Afghan Government's attention to the probability of this attack, and to ask them to restrain their tribes. He did this at an interview with the Prime Minister on 9th August 1932. To his surprise the Prime Minister, whom he had assumed to be aware of the Presumptive Line and to recognise Afghan responsibility for the tribes to the West of it, not only disclaimed responsibility for these sections but stated his belief that the area between the Durand and the Presumptive Lines was an independent area controlled neither by the British nor by the Afghan Governments.¹ Major Fraser-Tytler gave him with the aid of a map, a brief resumé, from memory, of the negotiations in regard to this area, and explained that, since these negotiations, His Majesty's Government had looked on the Baezai and Khwaezai Mohmands as Afghan subjects. The Prime Minister was very interested and rather apologetic. The matter was obviously one which could not be settled out of hand, and he asked for time to go through the correspondence before he could decide to what extent Afghanistan could take responsibility for this area. As his own records were not likely to be found, he asked to be supplied by the Government of India with copies of the previous correspondence.

The immediate question was not so much the settlement of the boundary as the prevention of hostilities on the part of the tribes living within the area under discussion. The latter point lost its importance with the subsidence of excitement among the tribes. The former was left for discussion until after Sir Richard Maconachie's return from leave.

1003. **Previous Negotiations.**—The following is the Draft Précis² prepared at the Afghan Prime Minister's request :—

DRAFT PRÉCIS OF THE MOHMAND BOUNDARY CASE FOR TRANSMISSION TO THE AFGHAN GOVERNMENT.

“The boundary shown in the map attached to the Durand Agreement of 1893 runs through the eastern portion of the Mohmand territory, and in paragraph 1 of the Agreement it is laid down that the “border shall follow the line shown in the map.”

¹ Despatch from C.d'A., Kabul, to F.O., London, No. 95, dated the 18th August 1932 (File 392-F./33, S. No. 2).

² Encl. to S. No. (10) in F. No. 392-F./33.

When however the demarcation of the boundary was undertaken early in 1895, His Highness the Amir's representative claimed that it was the intention of the Agreement to leave the whole of the Mohmand tribe to Afghanistan. He declined to recognise the line drawn on the map, and consequently the British Commissioner had to be recalled. In April 1895 information was received that the Afghan Sipah Salar had despatched 300 armed men to Mitai, a Mohmand village on the British side of the Durand Line, and had demanded the evacuation by the Khan of Nawagai of certain villages in his possession. In letter No. 30-P.O., dated the 2nd May 1895, His Highness the Amir was addressed on the subject and it was pointed out that under the Kabul Convention of 1893, Mitai and other villages referred to were clearly on the British side of the boundary. A request was made that pending a settlement of the Mohmand boundary, orders should be issued to the Sipah Salar to withdraw his men from Mitai and refrain from writing to or giving orders to the Khan of Nawagai. His Highness in his reply dated the 18th May 1896 claimed that the whole of the Mohmand tribes were under Afghan Sovereignty. In letter No. 46-P.O., dated the 7th July 1896, His Highness the Amir was informed by Lord Elgin that the Afghan claim to the whole Mohmand country could not be accepted and that the British Government could not give up their claim to certain Mohmand tribes with whom they had had direct relations for 40 years. His Highness in his reply of 17th October 1896 agreed to partition in accordance with the Agreement and gave a list of villages in Mohmand country, asking the Viceroy to specify those which he considered to be a portion of British Territory. Lord Elgin replied in letter No. 81-P.O., dated the 12th November 1896, that in order to bring about a prompt *settlement* of the boundary His Excellency was willing to concede to His Highness certain villages of the Baezai and Khwaezai Mohmands in the valley called the Bohai Dag, while maintaining that the country of the Halimzai, Tarakzai, Dawezai and Utmanzai sections, including also the Kandahari and Safi villages and all the other villages of the Musa Khel Baezais of Mitai must necessarily remain under the British control. His Highness, however, again in his letter of 3rd December 1896 put forward arguments that the frontier in the Mohmand country should not follow the line shown on the map attached to the Agreement, and objected that the British were trying to appropriate nearly all the Mohmand country. Lord Elgin thereupon, in his letter No. 1-P.O., dated the 2nd January 1897, informed His Highness the Amir that the offer that had been made to His Highness would remain open until the 31st January 1897, and thereafter be withdrawn if His Highness failed, within the time specified, to accept the proposed basis for the settlement of the question. His Highness in his letter dated the 13th January 1897 "agreed to the proposals made in the letters of Your Excellency dated the 7th July 1896 and 12th November 1896" and accepted the proposal to *demarcate*. In his letter No. 12-P.O., dated the 30th January 1897, the Viceroy thanked His Highness the Amir for having accepted his advice, agreed to the appointment of Mr. Udny and Sipah Salar Ghulam Haidar Khan as British and Afghan Commissioners respectively, and suggested a procedure for the satisfactory settlement of the boundary. His Highness in his letter dated the 9th February 1897, suggested that the procedure to be adopted for demarcation should be settled after the Joint Commissioners had reported the result of their preliminary meeting to their respective Governments. When the Commissioners met it was found that the work of demarcation was likely to be opposed by the tribes and that the parties would be in

danger of attack, even if escorted by Afghan troops. In letter No. 27-P.O., dated the 26th March 1897, Lord Elgin informed His Highness the Amir accordingly and suggested definition of the boundary according to tribal divisions, offering to supply a map which, though not accurate in detail, would generally indicate tribal divisions, and serve as a *pis aller* until demarcation was possible. It was added, however, that this would not be possible until His Highness the Amir had withdrawn his Khas-sadars from Mitai. In his letter of 12th April 1897, His Highness did not agree to the preparation of a map showing a tribal boundary until it had actually been demarcated and local rights examined on the spot. He however ordered the withdrawal of Khassadars from Mitai.

On 6th September 1897, Lord Elgin in his letter No. 74-P.O., dated the 6th September 1897, wrote on the subject of sending troops to Jarobi to oust the Adda Mullah that "Jarobi lies within the territory which, according to the agreement proposed in my letter of 12th November 1896, would fall within the limits of Afghanistan. I do not wish your Highness to regard any such action on the part of my troops as indicating an intention to vary or depart from what we have agreed upon as the dividing line in Mohmand country. On the other hand, if the Mullah should take flight across the mountains into the Kunar Valley, my troops have orders not to follow him beyond the water-shed." On the 12th September 1897, His Highness the Amir replied "Your Excellency states that Jarobi is possibly within Afghan limits. As up to this time no decision has been come to with regard to those places, it will undoubtedly be as Your Excellency has written." In his letter 83-P.O. of 7th October 1897, Lord Elgin wrote :— "My troops followed him to his home at Jarobi but he had already fled across the boundary into your Highness' territory, and in accordance with my promise, my troops did not pursue him further." In connection with certain events which had taken place at Shinpokh and Smatzai on the Kabul river, Lord Curzon, in his letter No. 24-P.O. of 29th April 1903, suggested the demarcation of the boundary between Sassobi Pass and the Kabul river. His Highness the Amir replied in letter No. 29, dated 8th May 1903, that he was willing to demarcate but thought a complete delimitation of the frontier from Nawa Kotal to Sassobi Pass more to the point. In his letter No. 32-P.O. of 26th May 1903, Lord Curzon pointed out that it was too late in the season to undertake such a demarcation in the Mohmand country, but commented on a proposal which the Afghans had considered and dropped, for the establishment of a post at Khapakh on or near the water-shed between Bohai Dag and Gandab valleys. He added:—"Your Highness will see from Lord Elgin's letter dated 26th March 1897, and from your late father's letter of 12th April 1897, that the whole question of what portion, if any, of the Bohai Dag was to be allotted to Afghanistan in modification of the Agreement of 1893 was left over pending suitable arrangements for the demarcation of the border, and these arrangements have not yet been concluded." His Highness in his reply dated the 8th July 1903, while agreeing to the demarcation of the boundary between Sassobi and Kabul river, pressed for a complete delimitation from Nawa Kotal downwards. He denied any intention to establish a post at Khapakh, but said that even if he had thought of establishing such a post there would appear to be no objection as "In the Bohai Dag valleys Your Excellency knows well I have full rights." Lord Curzon in his letter No. 53-P. O., dated the 29th August 1903 said that he was prepared to accept His Highness' views as to desirability of demarcating the whole line from Nawa Kotal and promised to send a further communication. In the meantime he asked that arrangements be made for demarcating

the boundary south of Kabul to Sassobi. From His Highness the Amir's reply of 25th October 1903 it was clear that he was not in favour of a piecemeal demarcation. In letter No. 2-P.O., dated the 19th December 1903, the Amir was told that Major Rocs-Keppel had been appointed for the purpose of demarcating the boundary and would meet the Afghan Commissioner on 1st February 1904 at Nawa Kotal. His Highness in his reply of 26th January 1904, while agreeing to demarcation, said that the line should be in accordance with the Durand Agreement. In his letter No. 11-P.O., dated the 13th February 1904, Lord Curzon explained how the question of demarcation came to be raised and added :—"If Your Highness has now changed your mind and does not desire to proceed with the demarcation, or if you desire that we should adhere strictly to the line on the map which has hitherto been found to be unsuitable, I shall be glad to hear of this alteration of your views and will take action accordingly." His Highness the Amir in his reply of 13th March 1904 *insisted* on demarcation but made no suggestion that he regarded as modified the arrangement by which the Bohai Dag was allotted to Afghanistan. In letter dated the 1st April 1904 His Highness the Amir was informed that the question of demarcation must stand over until the autumn. During the Kabul Mission of 1905 the question of demarcating the Mohmand boundary was again raised by Mr. Dane, but as His Highness the Amir showed no desire to discuss the principles which were to regulate the demarcation the matter was not pursued. On the 16th May 1908 the Government of India informed His Highness the Amir of the despatch of a punitive expedition to the Mohmand country. His Highness in his letter dated the 22nd May 1908 while drawing attention to the correspondence of 1896 and 1897 said "But the Mohmand country is a country which may still be said to be in dispute, because no settlement and boundary demarcation have been carried out in those limits, wherefore no (boundary) marks are visible and distinct in those parts. * * * * As the places mentioned in the letters of the above mentioned dates are in dispute, it will be necessary for the British troops to take care that they, during their attacks should respect and take into consideration the local and personal rights of the Mohmands pertaining to Afghanistan." In letter No. 3-P.O., dated the 12th June 1908 His Highness the Amir was thanked for the effective steps he had taken to prevent a recurrence of such attacks and informed that those portions of the Mohmand tribes subject to Government of India which were guilty of unprovoked attacks had been duly punished and had tendered their submission. The question of the demarcation of the Mohmand boundary has not been raised since."

A final paragraph was added summarising the précis as follows :—

"The salient points in this correspondence may be summarised as follows :—

- (1) The Amir Abdur Rahman declined to accept the boundary shown in the map attached to the Durand Agreement of 1893.
- (2) In 1896 the Viceroy, in order to effect a practical settlement of the boundary, offered to concede certain villages of the Baezai and Khwaezai Mohmands in the Bohai Dag, but maintained that the country of the Halimzai, Tarakzai, Dawezai, and Utmanzai sections, including the Kandahari and Safi villages, and all the other villages of the Musa Khel Baezais of Mitai must remain under British control.
- (3) The Amir in his letter of January 13th, 1897, accepted this proposal.
- (4) Owing to certain practical difficulties, demarcation of the boundary as thus agreed upon has not yet been carried out."

The précis was sent to the Afghan Foreign Minister on 2nd March 1933¹.

1004. Government of India's Policy.—In the meanwhile, after discussion with His Excellency the Acting Governor of the North-West Frontier Province and with His Majesty's Minister at Kabul the Government of India proposed that the action to be taken should be as follows :—

“(i) His Majesty's Minister should inform the Afghan Government that the offer made in 1896 to Amir Abdur Rahman still holds good and that His Majesty's Government will be glad if the Afghan Government will assume effective control of the area then offered, if and when they are prepared and able to do so. Until the Afghan Government have assumed effective control His Majesty's Government presume that they will have no objection to such measures of control being taken in that area by the Government of India as are necessary for preserving the peace.

(ii) If and when the Afghan Government announce that they are willing and able to take over control of the area, the matter might be regularised by an agreement setting out lists of the tribal sections which are recognised as subject to Afghan and British control respectively. Demarcation of the Frontier on the ground should be deferred for the present and only taken up when both Governments are satisfied that such a proceeding is practicable and desirable.”

His Majesty's Minister was authorised to take action accordingly, the time and manner of communication being left to his discretion.

1005. The Gentlemen's Agreement.—For a time the situation was not favourable for further negotiations. In August 1933 the move of troops into the Gandab Valley to the support of the lower Mohmands (Para. 913), and the consequent excitement among Mohmands of all sections and in the Eastern Province generally made it impossible for the Government of India to face any further delay over the question of control in the Bohai Dag. At an interview on 19th August Sir Richard Maconachie took before the Prime Minister the line which he had been authorised to take, namely that if the Afghan Government themselves could not at the moment assume effective control of the tribes in the Bohai Dag, they should have no objection to such measures of control being taken in that area by the Government of India as were necessary for preserving the peace.

The Prime Minister's reply and Sir Richard Maconachie's comments on it and interpretation of it form what is known as “The Gentlemen's Agreement”, and present the situation as now accepted by both Governments. They are as follows :—

“His Highness agreed—or rather said that his Government would not object—to two kinds of action, one political and the other military, being taken by the Government of India for the maintenance of peace in the vicinity of the Presumptive Border. In cases of emergency the officers of the Government of India could, without objection on the part of the Afghan Government, summon jirgas of tribesmen from the country between the Presumptive and Durand Lines and deal with them direct. When such measures had failed, and ‘lashkars’ were definitely threatening the territory to the east of the Presumptive Line from bases to the west of it, the Afghan Government would not object to military action being taken against such ‘lashkars’ by the Government of India, by land or air, to the extent required for the defence of their own territory. ...

Since His Highness expressed confidence that his words would be interpreted fairly by His Majesty's Government it may be worth while to note at the risk of explaining the already obvious, the impressions which I received of his intentions.

¹ Despatch from Min., Kabul, No. 31, dated the 16th March 1933 (File 392-F./33, S. No. 13).

His consent was not, as I had anticipated that it would be, limited to the present emergency, and it can, therefore, fairly be taken as holding good until that probably distant day when the Afghan Government announce their assumption of control over the area lying between the two lines. It was, however, clearly limited to cases of real emergency, like the existing one. It would not for instance cover either political action by the Government of India for the extension of their control in ordinary times of peace over the tribes to the west of the Presumptive Line, or summoning of 'jirgas' of Afghan Mohmands by British officers at times when there was no actual threat of an attack across that line. As regards military action, it may be noticed that His Highness agreed only to such action being taken, by land or air, against assembled lashkars, and the terms used by him would not, therefore, cover either bombing of villages, which were not occupied by lashkars, or any military action intended to forestall the assembly of such lashkars. His consent to military action by the Government of India in the area in question was accompanied by repeated assertions of his belief that the vast majority of disputes arising in it were and would be susceptible of peaceful settlement, if efforts to this end were made by British officers."

His Highness added that "this would be a gentlemen's agreement not reduced to writing, and that he relied on His Majesty's Government not to stretch it in practice to the detriment of Afghan interests."¹

The Agreement was confirmed by the Foreign Office in their despatch No. 112 (N. 7733/97/97), dated the 28th November 1933.²

1006. The Gentlemen's Agreement in Practice.—The dispersal of the hostile Mohmand lashkars within the next day or two rendered it unnecessary for the Government of India that year to take advantage of the concessions won for them in this matter, vital to their proper control of the Mohmand border. Two years later they were very glad to do so.

1007. The Mohmand operations of 1935. Government of India prepared to take action.—A deliberate attack on the Gandab Road by many sections of Mohmands under the leadership of the Haji of Turangzai and his sons made it necessary in August 1935 for the Government of India to restore the situation by sending troops into the Gandab Valley. The troops reached Ghalanai after a certain amount of fighting on August 25th. The hostile lashkars did not disperse and it then had to be decided what further action should be taken. For a variety of reasons, the step which it was decided to take was the prolongation of the road over the Nahakki Pass into Kamali Halimzai Territory. This operation would certainly involve hostilities from the Khwae-zai and Baezai tribesmen of the Bohai Dag, and probably from tribesmen on the Afghan side of the Durand Line as well.³ The Afghan Prime Minister viewed the possibility of prolonged operations with apprehension, but after full consideration of his views the Government of India still pressed for sanction for their plan. The Secretary of State sanctioned the advance over the Nahakki Pass on 6th September. On 10th September His Majesty's Minister informed the Afghan Government⁴ of the Government of India's intentions, laying stress on the limited nature of the objective and emphasising that the projected operations were entirely within the limits of British protected tribes drawing British allowances. As regards the Bohai Dag, in accordance with the procedure followed in 1897 and 1908, and as contemplated in the Gentlemen's Agreement of 1933, the Minister notified the Afghan Government of the Government of India's possible need to undertake operations in that area for the defence of their own troops.

¹ Despatch from Min., Kabul to F. O., London, No. 97, dated 23rd August 1933, S. No. (24) in F. No. 392-F./33.

² Despatch from F. O., London, to Min., Kabul, No. 112 (N. 7733/97/97), dated 28th November 1933 (File 392-F./33, S. No. 30).

³ Telegram to I O., London, No. 2332, dated 2nd September 1935 (A.S. LVII 271).

⁴ Telegram from Min., Kabul, to F.O., London, No. 95, dated the 11th September 1935 (A. S. LVIII 19).

As regards restraint of their own subjects, the Afghan Prime and Foreign Ministers promised to do what they could. As regards the Bohai Dag they were at first inclined to repudiate the undertaking given in despatch 97.¹ After some discussion they fell back on the argument that even if they had agreed in 1933 to air action over their territory they could not do so now 'since in the interim their representative on League of Nations had signed undertaking to renounce bombing.' His Majesty's Minister did not pursue this argument but told them that in view of their admitted inability to control the Bohai Dag, the British Government would, if attacked from there, be obliged to take such measures as might be necessary to protect themselves.

The Government of India entirely approved the Minister's handling of this interview and commented to the Secretary of State as follows :—

" With regard to Bohai Dag we have already stated in paragraph 4 of our telegram No. 2349² that action will not be taken in this area unless absolutely necessary for military reasons, and will in any case be confined to air action within definite limits. We entirely agree with Minister that he should not pursue argument on League of Nations issue further. If however, it is again raised by Prime Minister it might be pointed out that, especially in circumstances explained in paragraph 2 of our telegram 2183,³ undertaking given by Afghan representative cannot be binding in respect of undemarcated tribal territory like Bohai Dag exact extent of Afghan responsibility for which is uncertain even in theory and for which they are not in a position to accept any responsibility in practice."

1008. Warning notices dropped over Bohai Dag.—Before the advance to the Nahakki a general warning notice was issued to the Baezai and Khwaezai tribes in the following terms⁴ :—

" Whereas you have elected in conjunction with other Mohmands to declare war against Government by deliberately breaking Ghalanai Agreement by attacking and opposing Government forces and by wantonly destroying Government property you are hereby warned that if you persist in waging war against Government forces the Government will have no option but to take action as they may consider necessary against lashkars and gatherings which have assembled or which may assemble in future in your areas."

In addition to copies sent by hand and dropped from the air in the actual war area, copies of this warning were dropped from the air over villages within the Bohai Dag to a depth of four miles west of the Presumptive Line.

1009. Attack on Government's Forces by Lashkars based on Bohai Dag. Government of India's authorisation of Air Action.—The troops crossed the Nahakki Pass on 18th September 1935. Lashkars of the Bohai Dag tribes remained in being on the left flank of the troops. They continued to snipe the troops both by day and by night and to engage them whenever they moved out for reconnaissance or other purposes. A few days later it was reported that the lashkars had dispersed and that only small raiding gangs remained. This was only temporary, and by 29th September they were again strongly established. On that date they had a serious encounter with the troops resulting in heavy casualties on both sides. The lashkar concerned in this engagement was composed mainly of Afghan Mohmands and Afghan subjects from across the Durand Line; it assembled and was maintained in the area west of the Presumptive Line and was using this area as a base for offensive action against Government troops. The Army Commander accordingly requested that the Afghan Government should be informed that until the lashkars dispersed the

¹ A. S. L. 133.

² A. S. LVII 285.

³ A. S. LVII 224.

⁴ Telegram from N. W. F. P., No. 423, dated the 14th September 1935 (A. S. LVIII 45).

Government of India held itself free to employ air action as they might consider necessary in the area west of the Presumptive Line.¹ For the reasons given by the Army Commander the Government of India authorised the issue of a bombing notice to the area four miles west of the Presumptive Border, stating that air action implementing the preliminary notice already dropped would be taken after twenty-four hours. The situation did not permit of the Afghans being informed in advance or of giving the impression that the action proposed was contingent on Afghan approval, nor did the Government of India consider that the 1933 Agreement contemplated such procedure. The Minister was therefore asked to inform the Afghan Government simultaneously with the issue of the notice, that action would be taken in this area with the object of dispersing the lashkars.² The Government of India's instructions to the General Staff were that they approved, subject to the usual procedure, of the employment of air action against hostile tribesmen whether in the open or in villages west of the Presumptive Line.³ The Secretary of State for India approved the Government of India's policy⁴, but added a caution that bombing of villages not occupied by lashkars would be contrary to the 1933 agreement.

1010. Peace Negotiations.—Before the Minister had time to communicate to the Afghan Government the Government of India's intention of bombing west of the Presumptive Line, a fully representative jirga of Upper Mohmands including the Khwaezai and Baezai of the Bohai Dag, arrived in the British lines to discuss peace terms. As proof of the Government's readiness to listen to overtures, the issue of warning notices intending bombing across the Presumptive Line was postponed. As the negotiations for peace ended satisfactorily, the proposed notices were never dropped and the Government of India's intention of taking action across the Presumptive Line did not in the end have to be communicated to the Afghan Government.

1011. The Nahakki Jirga.—The negotiations concluded with a Durbar at Nahakki Camp at which His Excellency Sir Ralph Griffith, Agent to the Governor General, North-West Frontier Province addressed a fully representative jirga of all Upper Mohmand tribes including Khwaezai and Baezai. On the day preceding the Governor's arrival the representatives of these tribes signed a document in which they acknowledged Government's terms, acquiesced in Government's future intentions, took responsibility for the unlawful actions of their own tribesmen and of outlaws from British Territory sheltering with them against Government or the friends of Government, and promised that in future they and their tribes would maintain friendly relations with the British Government and the British Government's friends. The Governor's speech explained fully to the tribesmen Government's policy towards them and the behaviour which Government expected from them. They were given Iranian and Pashtu translations of a précis of the speech. This was the first occasion on which a fully representative jirga of Bohai Dag tribesmen had attended before a British official, and the first occasion on which relations between the Government of India and these tribes had been openly declared and acknowledged.

1012. Position of the Line.—The line of the Presumptive Border is intended to follow the eastern boundaries of the 'certain villages of the Baezai and Khwaezai Mohmands in the Bohai Dag' which the Viceroy offered to concede to the Afghans in 1896. The line shown in the map facing page 188 of the Précis on Afghan Affairs did not pretend to be accurate and was merely intended to assist the reader in appreciating the actual position on the border as it emerged from the complicated correspondence on the subject. Opportunity was taken, after the conclusion of the "Gentlemen's Agreement", to revise the representation of the line on the map. A proposal made by the Government of the North-West Frontier Province in May 1933 to include

¹ Telegram from Army Commander, Northern Command, to Commander-in-Chief (General Staff), Simla, No. G/995, dated the 30th September 1936 (A. S. LVIII 148).

² Telegram to I. O., London, No. 2679/2680, dated the 30th September 1935 (A. S. LVIII 150).

³ Telegram from Genstaff, to Northern Command, No. 13720, dated the 30th September 1935 (A.S. LVIII 156).

⁴ (A. S. LVIII 170 and 171.)

in the discussion with the Afghan Government, a proposal for the transfer of the Babazai Sections of the Baezai to the British side of the line,¹ was rejected as being contrary to the offer already made to the Afghan Government. It was suggested however that it might be possible to raise the question if and when actual negotiations for demarcation were initiated. It remained to prepare a map showing where, in the Government of India's opinion, the Presumptive Border lay. The previous map was sent to the North-West Frontier Province for comment, and returned with Sir Ralph Griffith's suggestions for modification. These were adopted,² and a new line was drawn which was 'a compromise between tribal and topographical considerations³' but which represents 'Government of India's interpretation of the presumptive frontier'.⁴ The line on the map is no more authoritative than these words suggest, and may, if circumstances render it necessary, be altered when demarcation on the ground is carried out. The *locus classicus* on the subject is still Lord Elgin's letter to the Emir Abdur Rahman, No. 81-P. O. of 12th November 1896.

The line⁵ approved by the Government of India in 1935 is that shown in green on the map attached to this Chapter.

¹ Telegram from Min., Kabul, to F. O., London, No. 95, dated the 11th September 1935 (A. S. LVIII 19).

² Notes page 5 in F. No. 568-F/35.

³ Note page 15 in F. No. 568-F/35.

⁴ 17 *Ibid.*

⁵ 30 *Ibid.*

CHAPTER VII.

THE DOKALIM AND ARNAWAI BOUNDARY DISPUTE.

1013. **Preliminary.**—The early history of the Dokalim Boundary dispute is related in Chapter XVIII of the *Précis on Afghan Affairs*.

In 1926 it was noted that “The Afghans have by a gradual process of encroachment (consisting of first, demands for revenue, then occupation and lastly fortification) established themselves in Dokalim.” The Government of India protested against this policy of encroachment, and invited the Afghan Government to appoint a delegation to visit Dokalim and Arandu Gol, and, with a delegation to be detailed by the British Government, to enquire into and settle the disputed questions. The Afghan Government in a letter which included an *ex-parte* statement of their own case, agreed that such a Commission should be appointed at the first opportunity¹.

The Commission had still not been appointed when the Rebellion broke out. The Afghan garrison evacuated their tower and took refuge in Chitral. Nearly a year later, before Afghan control in the Kunar Valley was re-established, but after King Nadir Shah had been recognised by the British Government, the Mehtar of Chitral re-occupied the Dokalim area, built and fortified a post in place of the Afghan post which had been demolished and garrisoned it with a force of 75 men. The Afghan Government were furious at this, and were now no less keen for the speedy appointment of a Commission, than they had before been dilatory. As it even seemed possible that the Afghan Government might attempt a *coup de force* which would have had a most unfortunate effect on the relations between the two Governments, the Government of India were just as anxious for a settlement. The Afghan Government and the Mehtar seemed both equally determined not to yield one iota of their claims, and for a long time no solution could be found. Eventually after prolonged negotiations by British officials with the Mehtar of Chitral on the one side and the Afghan Government on the other, a compromise solution was found.

THE SETTLEMENT OF 1932.

1014. **Principles of the Settlement.**—The terms of the compromise solution are contained in the following letters² exchanged between His Majesty's Minister, Kabul, and the Afghan Government.

COPY OF LETTER FROM HIS MAJESTY'S CHARGÉ D'AFFAIRES, KABUL, TO THE AFGHAN FOREIGN MINISTER, No. 139, DATED MAY 3RD, 1932.

“Under instructions from His Majesty's Principal Secretary of State for Foreign Affairs I have the honour to make to Your Excellency the following proposals for the permanent settlement of the question regarding the Indo-Afghan Frontier in the neighbourhood of Dokalan. Note; By Dokalan is meant an area believed to be about 83 English acres in extent, equivalent to 111 1/2 jaribs as defined in the Anglo-Afghan Treaty of 1921, lying to the east of the Kunar River and South of the Arandu Gol (or Arnawai Stream) comprising some cultivated and uncultivated lands and a site on which His Highness the Mehtar of Chitral has constructed a military post. It is hereafter referred to in this letter as “Dokalan”.

(2) These proposals are as follows :—

“A. His Majesty's Government and the Afghan Government will as soon as possible each appoint two delegates to proceed to Dokalan.

¹ Letter from Min., Kabul, No. 415/7, dated the 17th August 1928 (File 310-F/28, S. No. 1).

² Enclosures to Despatch from C. d'A., Kabul, to F. O., London, No. 80, dated the 21st June 1932 (File No. 1-F/32, S. No. 192).

خبر لہ ازل وای و در کالم و لڑ ختم ازل کہ در آن سرحدین لغات سما از طرف ^{بہرین} جھین بر طاقی در اغانی در ما جولای ۱۹۴۲ مطابق سولہ ایشتمسی مجری ۱۳۱۱ تفسیر دولت کاوی ^{سبت}

[illegible]

W. R. Henry Capt.

Hassimullah

*Signed at Dokalim Bridge,
July 11th. 1932.*

Jeff
Halleck Jeff

درجہ اولیٰ درکالم اعجاز
الکیم فی الکتاب
۱۳۱۱

Surveyed by Sr. Fateh Md. Khan

GRAND Capt RS 11-7-32

*Q/c Survey Detachment
Survey of India*

B. The British delegates will arrange for the demolition of the post constructed in Dokalan by His Highness the Mehtar of Chitral and when its demolition is completed will hand over possession of Dokalan to the Afghan delegates, and Dokalan shall thereafter be regarded as Afghan territory.

C. The delegates of the two Governments will then proceed to demarcate by pillars that sector of the frontier both southwards and northwards of Arnawai village which is mentioned as probably likely to require such demarcation in Article IV of the Agreement concluded by Mr. Udny and Sipah Salar Ghulam Haider Khan in 1895 in accordance with the principle laid down in that article.

Provided that such demarcation shall in no way affect the arrangements specified in Clause B above regarding the inclusion of Dokalan in Afghanistan.

D. The frontier so demarcated shall be shown in a map to be prepared and signed by the delegates of both Governments and shall thereafter be accepted as part of the Indo-Afghan frontier within the meaning of Article II of the Treaty of 1921 between His Majesty's Government and the Afghan Government.

E. Since it is understood to be the intention of the Afghan Government when they have received possession of Dokalan to construct a military post on the site now occupied by the post belonging to His Highness the Mehtar of Chitral, the latter will be at liberty, if he so desires, to construct in his own territory to the south of the Arandu Gol (or Arnawai Stream) a military post, not larger than the Afghan post in Dokalan and not nearer than such post to any point of the frontier demarcated in accordance with the provisions of Clause C above.

I have the honour to request that Your Excellency will kindly inform me at your earliest convenience whether these proposals are accepted by the Afghan Government."

TRANSLATION OF LETTER NO. 1270, DATED THE 30TH SAUR 1311 (19TH MAY 1932), FROM THE AFGHAN FOREIGN MINISTER, TO HIS MAJESTY'S CHARGÉ D'AFFAIRES, KABUL.

" Under instructions from my Government I have the honour to state in reply to your letter No. 139, dated the 3rd May 1932 that His Majesty (Nadir Shah)'s Government have accepted the recent proposal of His Britannic Majesty's Government as mentioned in the above cited letter regarding Dokalan question. I have, therefore, to inform you that two representatives of my Government have been appointed to take over Dokalim. As soon as you inform me of the appointment of the representatives of His Britannic Majesty's Government, the representatives of my Government will be sent to the place in question. I have also to communicate to you officially the names of the members of the commission which will delineate the boundary between Afghanistan and Chitral :—Aliqadr Sadaqatmaab (a title—Tr.) Habibullah Khan, Muin (Under Secretary) of the Foreign Office is selected and appointed as Chief delegate (" Rais ") and Shujaat Namrah (a title—Tr.) Said Hussain Khan, Kandak Mishar (Lieutenant Colonel) as his assistant. The delegates will first take over Dokalim and then proceed to demarcate the boundary in conjunction with the representatives of His Majesty's Government."

COPY OF LETTER NO. 139, DATED MAY 31ST, 1932, FROM HIS MAJESTY'S CHARGÉ D'AFFAIRES, KABUL, TO THE AFGHAN FOREIGN MINISTER.

“ Under instructions from His Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to make to your Excellency the following further proposal for the permanent settlement of the question regarding the Indo-Afghan frontier in the neighbourhood of Dokalim.

This proposal, if agreed to by Your Excellency's Government, will be included in the terms of reference of the Joint Commission appointed to assemble for the settlement of the Dokalim question, and will be additional to those proposals set forth in my letter No. 139 of May 3rd, 1932 and accepted by the Afghan Government in Your Excellency's letter No. 1270, dated May 19th, 1932. The proposal is as follows :—

The Delegates of the two Governments will arrange for the settlement on the lands of Dokalim of all families now cultivating those lands who are at present living at Arnawai (or Arandu), on condition that they are prepared to live in future on the Dokalim lands, to pay revenue to the Afghan Government, and to become Afghan subjects.

I have the honour to request that Your Excellency will kindly inform me at your earliest convenience whether this additional proposal is accepted by the Afghan Government.”

TRANSLATION OF LETTER NO. 1646, DATED THE 25TH JAUZA 1311 (14TH JUNE 1932), FROM THE AFGHAN FOREIGN MINISTER, TO HIS MAJESTY'S CHARGÉ D'AFFAIRES, KABUL.

“ With reference to your letter No. 139, dated 31st May 1932, regarding the families residing in and cultivating the Dokalim lands, I have the honour to state that my Government agrees to make necessary arrangements for the families in question to reside (in Dokalim) provided that these consent to adopt Afghan nationality and will live permanently in Afghan territory. Necessary instructions have been given to Aliqadr Sadaqat Maab Habibullah Khan, Head of the Afghan Commission, to enter into discussion with the British delegation in regard to these families and to implement (the arrangements made).”

1015. The letters of credence given to the British Commissioners, Captain W. R. Hay and Lieutenant Shahzada Muhammad Nasirul-Mulk (who has since succeeded his father on the throne of Chitral), were as follows :—

LETTER TO (1) CAPTAIN W. R. HAY, (2) LIEUTENANT SHAHZADA MUHAMMAD NASIR-UL-MULK, No. F. 1-F/32, DATED THE 22ND JUNE 1932.¹

“ His Majesty's Government and the Government of Afghanistan having agreed to the appointment of a Joint Commission to determine the exact location of the Indo-Afghan boundary in the vicinity of Arnawai, I am directed to inform you that under the authority of His Majesty's Government, which the Government of India have been expressly empowered to communicate to you, you have been appointed as British representative for this purpose, and to furnish you with this letter as credential of your appointment.

2. The following procedure is to be observed in determining the boundary :—

(a) You will as soon as possible proceed to Dokalim and arrange for the demolition of the post constructed there by His Highness the Mehtar of Chitral and when its demolition is complete will

¹ S. No. 181 in F. No. 1-F/32.

hand over possession of Dokalim to the Afghan delegates. By Dokalim is meant an area believed to be about 83 English acres in extent equivalent to 111 1/2 jaribs as defined in the Anglo-Afghan Treaty of 1921 lying east of the Kunar River and south of the Arandu Gol or Arnawai stream and comprising both cultivated and uncultivated lands as well as the site on which the post constructed by His Highness the Mehtar of Chitral stands. Dokalim shall thereafter be regarded as Afghan territory.

- (b) You will then proceed to demarcate by pillars in concert with the Afghan delegates, in accordance with the principle laid down by Article IV of the Agreement concluded by Mr. Udny and Sipah Salar Ghulam Haidar Khan in 1895 that sector of the frontier lying both southward and northward of Arnawai village, which is mentioned in that article as probably likely to require such demarcation. Such demarcation shall in no way effect Dokalim itself as described in the previous paragraph, since this area after it has been handed over to the Afghan delegates shall be regarded as Afghan territory and included in Afghanistan.
 - (c) You will also in co-operation with the Afghan delegates prepare a map on which shall be shown the frontier jointly demarcated by you and them. This map shall be signed by the delegates of both Governments and the frontier shown upon it and shall thereafter be accepted as part of the Indo-Afghan frontier for the purposes of Article II of the Anglo-Afghan Treaty of 1921.
 - (d) You will also in concert with the Afghan delegates arrange for settlement on the lands of Dokalim of all families now cultivating those lands who are at present living at Arnawai on condition that they are prepared to live in future on Dokalim lands, pay revenue to Afghan Government and become Afghan subjects.
3. ¹You are accordingly hereby authorised to address the Chief Afghan Representative in direct correspondence to this end, to arrange with him the place and time of meeting and all other minor matters necessary for the execution of the purpose for which the Commission has been appointed."

1016. **Proceedings of the Commission.**—The Commission held its first meeting on 1st July 1932 and its last on 11th July. Captain Hay's despatch No. H-27/4, dated the 27th July 1932 (Enclosure II to Serial No. 251) describes the progress of events as follows² :—

- "(A) *Reference paragraph 2 (a) of the letter of credence.*—The demolition of the Dokalim Post was carried out on July the 1st and 2nd and Dokalim was formally handed over to the Chief Afghan Delegate on the morning of July the 3rd. The question of the exact area to be handed over was not raised and no measurements were made.
- (B) *Reference paragraph 2 (b) of the letter of credence.*—(i) The Boundary on the left bank of the Kunar River was fixed on July the 3rd. It was clear that all the block of cultivable land surrounding the demolished post and known as Dokalim now belonged to Afghanistan, and it only remained to fix the point on the Arnawai stream which should be the limit of Afghan territory to the east, and draw a line from that point to the summit of the big hill immediately east of Dokalim (point 5031 in map 38-M/11). This summit is the last well-marked point at the lower or north-western end of the water-shed defined as the boundary in the

¹ To No. (1) only.

² F. No. 1. F. 32.

Udny agreement, the hill-side below it being rounded and containing no very well defined spurs, and it was clearly not within the scope of the Commission to consider the boundary anywhere beyond it to the southeast. A feature of the hill—it could hardly be called a spur—which appeared to be the most satisfactory natural boundary as seen from the west was found to terminate in a small strip of cultivable land running along the edge of the Arnawai stream. This land was admittedly part of the Dokalim holdings and also contained the head of one of the main Dokalim water-channels. It was therefore decided to fix the boundary at the upper or eastern end of strip of land, about 100 or 200 yards above the point where the Arnawai stream emerges from the hills. This still left the head of one important Dokalim water-channel in Chitral territory. No. 1 boundary pillar was placed on the summit of the hill (Point 5031) and No. IV on a piece of solid rock a few feet above the point where the boundary meets the stream. Two intermediate pillars (Nos. II and III) were considered necessary owing to the absence of any well-defined feature.

(ii) The boundary on the right of the Kunar River was fixed on July the 3rd. As there were no local village rights to be considered the Commission felt themselves bound to follow the watershed as defined in the Udny agreement. For convenience sake, however, it was decided that the boundary between the first two pillars should run in a straight line, as the ground is more or less level and the exact position of the water-shed is difficult to determine. Three boundary pillars were erected—No. V immediately above the junction of the Bashgul and Kunar Rivers ; No. VI at the upper edge of the more or less level ground, and No. VII a short way up the hill-side on a point above which the water shed is easily distinguishable.

(C) *Reference paragraph 2 (c) of the letter of credence.*—Two identical maps to show the exact position of the boundary between pillars I and VII were prepared on a scale of four inches to the mile and signed by the British and Afghan delegates on July the 11th. One of the maps was retained by the Afghan delegates and the other is submitted herewith. The maps contain an explanatory note describing how the boundary runs between the different pillars. The boundary is shown in a red line. This was done at my request, on the precedent of the Udny maps. When I saw the completed map I realised that a broken black line would have looked much better but there was no time then to get it altered. I also decided not to show the continuation of the boundary in each direction, as this would have necessitated a different type of line and another explanatory note. I think now the map would have been more complete had the continuation of the boundary in each direction been shown, but the omission is hardly one of vital importance.

(D) *Reference paragraph 2 (d) of the letter of credence.*—As I had thought would probably be the case it was found to be impossible to follow the instructions of this paragraph to the letter. All the families at the time we began our work owned and cultivated land on both sides of the Arnawai stream, *i.e.*, both at Arnawai and Dokalim. The Arnawai people were therefore told they must decide amongst themselves which families would migrate to Dokalim, take over the land there and become Afghan subjects. Eventually 38 families (out of about 90 or 100 in the village) agreed to migrate, and duly moved across the stream on July the 6th. The names of their leading members were communicated to the Chief Afghan Delegates. They were left to distribute the land amongst themselves as they had done before : had the Commission attempted the task

it would probably have occupied months. My fellow-delegate, Shahzada Nasir-ul-Mulk, was chiefly responsible for negotiating with the Arnawai people and for arranging which families should migrate and which stay behind.

As the people of Arnawai and the people of the new village of Dokalim live so near to each other and are so closely related it is inevitable that cases will arise between them. This point was brought up in discussion with the Afghan delegates ; we agreed that it was not for us to come to any decision upon it, but we were all of opinion that it would probably be necessary to hold periodical joint jirgas to decide cases between the two villages.

4. The Commission formed subsidiary decisions on two points, viz., (a) the right of the people of Dokalim to take water for irrigation from the Arnawai stream within international boundary, and (b) the right of the people of Arnawai to float wood for local use down that portion of the Arnawai stream which forms part of the boundary. We thought it better not to embody these decisions in any formal agreement but to make identical reports regarding them to our respective Governments and leave it for them to decide whether any formal agreement is necessary or not. A separate report is submitted accordingly."

The Commissioners' recommendations on these two points were as follows :—

- “(1) That the people of Dokalim shall be allowed to take water required for the irrigation of their lands in Dokalim from the Arnawai Khwar above the boundary we have fixed.
- (2) That the people of Arnawai may be allowed to float wood required for local use down that portion of the Arnawai Khwar which forms the international boundary.”¹

1017. Ratification of the Settlement.—The Government of India approved both the settlement and the subsidiary decisions. After a certain amount of delay over the wording of particular phrases the proceedings, including the subsidiary decisions were ratified by an exchange of notes between the two Governments. The notes were exchanged on 3rd February 1933 and read as follows² :—

“No. 139

*British Legation, Kabul,
3rd February 1934.*

YOUR EXCELLENCY,

I have the honour, under instructions from His Majesty's Principal Secretary of State for Foreign Affairs to inform you that the agreement arrived at between Captain W. R. Hay, the Representative of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of India and Aliqadar Sadaqatmaab Habibullah Khan Tarzi, the representative of the Government of His late Majesty King Muhammad Nadir Shah, by the signature on the 11th July, 1932, of a map showing the location of the Indo-Afghan frontier in the neighbourhood of Arnawai and Dokalim has been approved by His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of India. His Majesty's Government in the United Kingdom and the Government of India accordingly confirm the boundary line demarcated by the said Representatives as shown in the facsimile copy of the original signed map and the accompanying description of the boundary pillars hereunto annexed.

¹ Letter from Officer on Special Duty to N. W. F. P., No. H/27/5, dated the 27th July 1932 (Enclosure III to S. No. 251, F. No. 1-F/32).

² Enclosure to S. No. 321, File 1-F/32.

2. Further, I have the honour to inform Your Excellency that His Majesty's Government in the United Kingdom and the Government of India approve and confirm the subsidiary proposals which are set out in Captain W. R. Hay's letter of the 10th July, 1932, addressed to Aliqadar Sadaqatmaab Habibullah Khan Tarzi in the following terms :—

- (a) That the people of Dokalim shall be allowed to take water required for the irrigation of their lands in Dokalim from the Arnawai Khwar above the boundary fixed, and
- (b) That the people of Arnawai may be allowed to float wood required for local use down that portion of the Arnawai Khwar which forms the international boundary.

3. In regard however to the decision mentioned in paragraph 2 (a) above, it will, of course, be understood that without the consent of the local British authorities no new water channel shall be constructed above the boundary fixed.

4. If the boundary line as shown in the annexes to the present note and the above-mentioned subsidiary proposals are acceptable to the Government of His Majesty King Muhammad Zahir Shah, I suggest that the present note and Your Excellency's reply in similar terms be regarded as constituting, as from today's date, a definite agreement on this matter between the Royal Afghan Government on the one hand and His Majesty's Government in the United Kingdom and the Government of India on the other.

I have the honour to be,
with the highest consideration,

Your Excellency's most obedient, humble servant,

[Sd.] R. R. MACONACHIE.

His Excellency

Sardar Faiz Muhammad Khan,

Minister for Foreign Affairs.

Translation.

*Ministry for Foreign Affairs,
Kabul.*

Dated 14th Dalv. 1312.

(3rd February 1934).

No. 5396.

MONSIEUR LE MINISTRE,

1. I have the honour to acknowledge the receipt of Your Excellency's note No. 139 of the 3rd February, 1934, in which you informed me that the agreement arrived at between Aliqadr Sadaqatmaab Habibullah Khan Tarzi, and Captain W. R. Hay, the Representative of His Majesty's Government in the United Kingdom of Great Britain and Northern Ireland and the Government of India, by the signature of map which shows the location of the frontier of Afghanistan and India in the neighbourhood of Arnawai and Dokalim, and was signed on the 11th July, 1932, has been approved by His Majesty's Government in the United Kingdom of Great Britain and the Government of India, and that accordingly the boundary line as demarcated by the said Representatives and as shown in the facsimile copy of the original signed map and the accompanying descriptions of the boundary pillars annexed to Your Excellency's note, has been confirmed by His Majesty's Government in the United Kingdom and Northern Ireland and the Government of India.

2. In paragraph (2) it was stated that His Majesty's Government in the United Kingdom and the Government of India also approve and confirm the subsidiary proposals which are set out in Captain W. R. Hay's letter of the 10th July 1932 addressed to Aliqadr Sadaqatmaab Habibullah Khan Tarzi, which proposals are as follows :—

- (a) That the people of Dokalim shall be allowed to take water required for the irrigation of their lands in Dokalim from the Arnawai Khwar above the boundary fixed.
- (b) That the people of Arnawai shall be allowed to float wood required for local use down the portion of the Arnawai stream which forms international boundary.

3. In regard to (a) above, it will of course be understood, that no new water-channel shall be constructed above the boundary fixed unless the consent of the local British authorities has first been obtained.

4. In accordance with the instruction received from my Government I have the honour to state in reply to your note quoted above that the Royal Government of Afghanistan under the rule of His Majesty Muhammad Zahir Shah confirm the boundary line, as demarcated by the said Representative and as shown in the facsimile copy of the original signed map and the accompanying description of the boundary pillars hereunto annexed, and also accept the subsidiary proposals set forth above. The Government of His Majesty Muhammad Zahir Shah accordingly agree that the present note and Your Excellency's note shall be regarded as constituting, with effect from today's date, a definitive agreement between the Royal Afghan Government on the one hand, and His Majesty's Government in the United Kingdom and the Government of India, on the other. In conclusion I renew my profound respects.

(Signed) FAIZ MUHAMMAD,
Minister for Foreign Affairs.

To

His Excellency Sir Richard Maconachie,

Minister Plenipotentiary of the Government of Great Britain at the Royal Court of Kabul."

1018. Pronouncement on the Settlement in Chitral.—After the conclusion of proceedings a Darbar was held in Chitral at which Captain Hay delivered a speech including the following words :—

" I also wish to speak to you about the International Commission which has recently met at Arandu to demarcate a small strip of boundary in that neighbourhood between Afghanistan and Chitral. For reasons which I need not enter into this small piece of international boundary was left undemarcated in 1895 and has ever been a source of trouble and dispute with particular reference to the small area known as Dokalim. This area has been claimed as part of their territory both by Afghanistan and Chitral and has been occupied sometimes by one Government and sometimes by the other. A definite decision has now been taken that this area shall in future be recognised as part of Afghanistan and all other outstanding questions with regard to the international boundary at this point have been satisfactorily settled in consultation with the Afghan Commissioners whose cordial and friendly attitude I am glad to take this opportunity to acknowledge. My Government are confident that this settlement will not only confirm and strengthen their friendly relations with the Afghan Government but will also be of benefit to Chitral by removing a constant source of irritation and trouble."¹

¹ Telegram from Captain Hay, Chitral, No. 44-T., dated the 18th July 1932 (File 1-F/32, S. No. 239).

1019. Fortification of Arnawai by the Mehtar.—During and immediately after the proceedings His Highness the Mehtar expressed a desire to fortify Arnawai. The Government of India were at first reluctant to agree to this, but after some further delay the Mehtar stated that he would be willing to forego his right under Clause E of the Agreement to build a post South of the Arandu Gol, in return for the right to build a post to the North. He added that he had no intention of building a post at the moment, and would consult the Assistant Political Agent before doing so. His Majesty's Minister informed the Afghan Foreign Minister on 12th February 1934 that the Government of India intended to give this permission, and that on receiving it the Mehtar would waive his right acquired under Clause E of the Agreement¹. As the Foreign Minister had made no reply ten weeks later, silence was taken to imply consent and the necessary permission, on the understanding already mentioned, was given on 26th June 1934.

1020. Destruction and Re-erection of a Boundary Pillar.—One of the boundary pillars erected was found on 1st August to have been destroyed. The Afghan Government agreed to its reconstruction by the Chitral Sappers and Miners in the presence of representatives of both Governments². This was done between 15th and 18th January 1933³.

1021. Map to illustrate the Settlement.—A copy of the official map showing the boundary fixed by the Commissioners is placed at the beginning of this Chapter.

¹ Despatch from Min., Kabul, No. 52, dated the 27th April 1934 (File 1-F/32, S. No. 327).

² Memo. from Counsellor, British Legation, Kabul, No. 139, dated the 4th November 1932 (File 1-F/32, S. No. 263).

³ Memo. from N. W. F. P., No. 417-P. C., dated the 16th February 1933 (File 1-F/32, S. No. 300).

CHAPTER VIII.

THE DURAND LINE.

1022. Chapter XVII of Sir Richard Maconachie's *Précis* discusses the significance and interpretation of the Durand Agreement up to 1927. The tribes living between the Durand Line and the British administered border were spoken of in 1892 as 'the independent tribes' lying between Afghanistan and India and Sir H. Dobbs in 1919 spoke of 'the verbal pledge which I understand Sir Mortimer Durand gave to Abdur Rahman, that we would not attempt to administer up to the Durand Line'. The word 'independent' in such phrases as 'independent territory' and independent belt has however, now been officially replaced by 'tribal', and Sir Denys Bray in a speech made on 5th March 1923 maintained that Afghanistan and India were now co-terminus with no intervening territory such as that which had been mentioned in 1892. Other occasions on which this principle has been prominently brought out include Sir Austen Chamberlain's statement to King Amanullah in London in 1928,¹ and the Afghan Minister's re-affirmation of their acceptance of the position in regard to the Durand line made to His Majesty's Minister in 1935, in connection with Mohmand affairs.² The present attitude of the Government of India which has been explained to the Afghan Government and which the Government of India believes the Afghan Government to have accepted, is 'that the tribes on the British side of the Durand Line are not independent and that the Government of India has a clear right to administer up to the Durand Line when they see a necessity to do so.'³

1023. The Frontier was demarcated anew in the Dokalim—Arnawai area in 1932.⁴ A proposal to raise the question of demarcation in Mohmand Territory in 1935 was abandoned⁵. The position with regard to the Peiwar boundary is still as described in Chapter XXI of Sir Richard Maconachie's *Précis*.

1024. No other problems which could be included in this chapter have arisen during the period under review.

¹ Appendix to Chapter I.

² Para. 1045.

³ Letter to F. O., London, No. F. 518-F/35 of 11th/16th January 1936 (A. S. LIX, 121).

⁴ Para. 1016.

⁵ Para. 1012.

CHAPTER IX.

INCIDENTS IN BRITISH FRONTIER POLICY—1927-1936.

1025. The Afghan Government have frequently expressed disapproval or alarm at the "Forward Policy" of the Government of India in Tribal Territory during recent years. The change in the Government of India's attitude towards the tribes during the last forty years may be seen from the following quotations :—

(1) 'The independent tribes lying between Afghanistan and India'¹ (1892).

(2) 'The verbal pledge which.....Sir Mortimer Durand gave to Abdur Rahman that we would not attempt to administer up to the Durand Line'² (1919—referring to 1892).

(3) 'The Government of India's clear right to administer up to the Durand Line should they see a necessity to do so' (1935).³

1026. A formal protest (not the first) was made by the Afghan Government to His Majesty's Government against the Government of India's Forward Policy at the beginning of the period.⁴ (Paragraph 771). At the end of the period they were still protesting, though on different ground. Their attitude now is not so much that they are afraid that the British policy of penetration is directed against themselves, but that they dislike the embarrassments which it so frequently causes them when they have to reject appeals for help from their co-religionists or demands for a Holy War from their own people.⁵

1027. The Government of India's own description of the policy, as given in letter⁶ No. F. 730-F/33 dated 4th May 1934, is that it is one 'of gradual extension of its influence by peaceful methods in the tribal areas'.

1028. The following is an outline of the incidents to which the Afghans have referred when they have spoken of "penetration" and "The Forward Policy" :—

1923.—Occupation of Razmak for the better control of Waziristan.

1927-1928.—Continued development of roads in Waziristan. Visits of high officers of the Government of India to tribal areas.

1929.—Occupation of Wana (South Waziristan) by troops, and opening of the Wana-Jandola road to general traffic. Beginning of the Razmak—Tanda China-Wana road through Mahsud Territory.

1930.—Blockade of the Afridis, occupation of the Khajuri and Aka-Khel Plains, and discussions on future action to be taken against the tribe. Progress with roads in Waziristan and in the Malakand Agency.

Bombing of villages in Tribal Territory in connection with the 1930 disturbances. Increased freedom of movement in Waziristan.

1931-1932.—Continued progress in road construction and patrolling.

1933.—Operations in Mohmand country and construction of a road to the foot of the Nahakki Pass. Operations in Bajaur and consideration of the possibility of constructing a circular road through Bajaur and Mohmand Country. Completion of the Wana—Razmak road.

1934-35.—Publication of negotiations for construction of a road into Tirah.

¹ Afghan Précis (1927), para. 362.

² *Ibid.*

³ Letter to I. O., London, No. F. 518-F/35, dated the 11th/16th January 1936 (A. S. LIX, 121).

⁴ Afghan Précis (1927), para. 328.

⁵ Statement of the policy of the Afghan Government prepared by Sir Richard Maconachie (Sub-Encl. II to Kabul Despatch No. 74, dated the 19th June 1935, S. No. 82, File 575/F/34.)

⁶ A. S. LIII, 102, para. 4.

1935.—Operations on the Hazara Border. Operations in Mohmand country and construction of a road over the Nahakki Pass.

Operations in the Agra Salient (Malakand Agency) and construction of a post at Agra occupied by Frontier Constabulary.

Strained relations with the Afridis, and apprehensions that a road might be built by force into Tirah.

Tension in North Waziristan and apprehensions of military operations there also.

CHAPTER X.

CONTROL OF NOMAD GHILZAI TRIBESMEN.

1029. Enormous numbers of Afghan tribesmen, mostly Ghilzais, spend the winter in Indian Territory. Action taken by the Government of India in the spring of 1930 in instructing Frontier Officers quietly to advise¹ the returning nomads to make loyal submission to King Nadir Shah, though in itself of little effect, served to raise again the question of the powerful hold which the Government of India could in certain circumstances exercise over these tribes. The anomaly which Sir Richard Maconachie noticed was that these Afghan nomads, or Powindahs, although economically dependent on their annual access to India, were yet able to adopt an attitude in their own country which was directly contrary to British interests. The remedy which he suggested was the introduction of some form of pass without which they might not enter British Territory. Turbulent behaviour in Afghanistan might then render any particular section or household liable to exclusion from India in the next migration. The establishment of this leverage on so important and numerous a section of the population might serve not only to make for peaceful conditions in Afghanistan but also to go some way towards solving the problem of Afghan intrigue in Indian frontier areas.

1030. The Chief Commissioner, North-West Frontier Province, in his memorandum² No. 4749-P.C., dated the 25th November 1930 expressed the opinion that the introduction of passes was undesirable, and that as much control as was needed could be exercised under the laws already in force. The Agent to the Governor General in Baluchistan was of the same opinion.³ Their successors in office gave the same views the following year⁴. The idea was therefore dropped in September 1932.⁵

1031. In the spring of 1931 Frontier Officers were again asked to take opportunities of advising returning nomad Maliks to make their peace with their own Government.

1032. During 1932 and 1933 Captain (now Major) J. A. Robinson was placed on special duty to write a report on the Ghilzai Tribe. This report was printed in 1934 under the title 'Notes on Nomad Tribes of Eastern Afghanistan'. It contains a full account of the history and ramifications of the tribe and of their methods of livelihood and places of residence both in India and in Afghanistan.

1033. Towards the end of his period of special duty Captain Robinson submitted to Government some notes on the present economic situation of the Ghilzais and their attitude towards the ruling family in Afghanistan. His notes showed a great deterioration in their economic situation and an unfriendly attitude towards the ruling house. The question of applying pressure in India on individuals or sections of the tribe, in the event of their showing signs of revolt against the Afghan Government or seeking to use India as a base for the organisation of such a revolt, was then again considered. His Excellency Sir Ralph Griffith's conclusions, based on Captain Robinson's information and recommendations, were as follows :—

1. Confiscation of rifles deposited by Ghilzais should be ruled out altogether.

2. Confiscation of camels was undesirable, as it caused more trouble than it was worth.

3. His Excellency was of opinion that both the Foreigners' Act, and Section 21 (a) of the Frontier Crimes Regulation could be used against Ghilzais.

¹ Despatch from Min., Kabul, to F. O., London, No. 56, dated the 21st August 1930 (A. S. XXXIV, 221-A).

² (A. S. XXXVII, 11).

³ Memo. from A. G. G. and C. C., Baluchistan, No. 6272-F, dated the 11th December 1930 (A. S. XXXVII, 105).

⁴ Letter from A. G. G., N. W. F. P., No. 3677-P.C., dated the 8th September 1932 (A. S. XLIV, 216) and Telegram to Norwef, Peshawar, No. 1450, dated the 24th June 1932 (A. S. XLIV, 276).

⁵ Letter to H. M.'s C. d'A., Kabul, No. 444-F/30, dated the 19th September 1932 (A. S. XLV, 252).

4. Pressure exercised under these or other enactments should be employed not against the poor and weak but against the richest and most influential men who could be found. These would include a number of well-to-do money lenders in Calcutta and other parts of Bengal.

1034. After consultation with their legal experts the Government of India informed His Excellency the Governor that the help to be derived from the Foreigners' Act was small, and that the use of the Frontier Crimes Regulation anywhere but in the Provinces to which it applied could probably be successfully challenged in a Court of Law. In the existing state of the law the most suitable alternative courses against Ghilzais in British India who were preparing to cause trouble to Afghanistan would be,

- (i) Prosecution under Sections 125 and 126 I.P.C., in the rare cases when these sections would be applicable.
- (ii) Orders under Section 36 Frontier Crimes Regulation against individuals in the North West Frontier Province.
- (iii) Use of Regulation III of 1818, resort to which could be had only in exceptional circumstances.¹

1035. Action on any large scale has not yet had to be taken against the tribe for any reason connected with their attitude towards the Afghan Government. Methods of bringing pressure to bear on them have however been tried out in connection with the hostile activities of a section of Ahmadzai Ghilzais in North Waziristan.

1036. The most serious incident of a series occurred on 11th January 1934 when Torobo Ghilzais camping close to the junction of the borders of Afghanistan, the Kurram Agency and the Tochi Agency, attacked a party of Tochi Scouts who were patrolling within their own limits. The Tochi Scouts lost 3 killed and 5 wounded. A khassadar, who was co-operating with them was also killed. Five Ghilzais were believed killed.²

The first retaliatory action taken was a raid by the Kurram Militia who captured 119 camels and 11 tribesmen early the next morning. The remainder of the encampment withdrew to the Afghan side of the border and no further military action was possible.³

As the relations of this section of the tribe with Frontier Officers had been going from bad to worse for some time, and the scale of punishment and security on account of earlier offences had had no effect, His Excellency the Governor of the North-West Frontier Province recommended strong action including a fine of Rs. 30,000 and confiscation of a number of security rifles; to enforce the terms he recommended an immediate 'barampta' of allied sections throughout the Province and a warning to the offending sections to make terms with the Political Agent, North Waziristan at Miranshah. Large numbers of Ghilzais were seized with their camels, and as a result a jirga of the offending sections saw the Political Agent at Miranshah on 8th and 9th March 1934. A fine of Rs. 10,000 was imposed and was recovered, but the twenty rifles demanded as security were not handed in and a number of the prisoners were kept in custody throughout the year.⁴ The rifles were eventually surrendered in the spring of 1935, when the remaining hostages were released. The tribe did not, however, fulfil an implied part of the settlement, which was that they should establish normal political relations with the Political Agent at Miranshah on entering the territory for which he was responsible. On the contrary they deliberately avoided Miranshah and handed in the rifles to the political authorities at Parachinar. To bring them to a proper sense of their position arrangements were made to establish a Scouts camp near their grazing ground the following year, but this had for other reasons to be abandoned.

¹ Memo. to N. W. F. P., No. F.-25-F/34, dated the 18th June 1934 (A. S. LIII, 252).

² Telegram from Norwef, No. 9-S., dated the 13th January 1934 (A. S. LII, 63).

³ Memo. from N. W. F. P. Govt., No. 232-P.C./1340, dated the 24th January 1934 (A. S. LII, 91).

⁴ Express letter from N. W. F., No. 2136-37-PCN./1340-P.S., dated the 7th July 1934 (A. S. LIV, 44).

To assist towards a settlement the Afghan Government sent one of the leading maliks, who was in Afghanistan at the time, to the frontier authorities on safe conduct,¹ but against the 'barampta' they made frequent protests to His Majesty's Minister². As the incident had occurred on the Indian side of the Durand Line and as the offence had been committed by tribesmen who were at the time residing on the Indian side of the line, the Government of India did not wish either for a Joint Enquiry or for any form of diplomatic representation other than for the sole purpose of securing the presence of the defendants³. The two principles involved in this decision were

- (i) That 'barampta' and diplomatic representations are incompatible⁴.
- (ii) That nomad tribesmen are subject to the law of that country on whose side of the Durand Line they are residing at the time⁵.

¹ Express letter from Min., Kabul, No. 744, dated the 15th February 1934 (A. S. LII, 184).

² Telegram to I. O., London, No. 447, dated the 26th February 1934 (A. S. LII, 211), and telegram from Min., Kabul No. 458, dated the 9th June 1934 (A. S. LIII, 224).

³ Express letter to Min., Kabul, No. F. 18-F/34, dated the 10th March 1934 (A. S. LII, 255).

⁴ Afghan Précis of 1927, paras. 457-458.

⁵ Memo. from Min., Kabul, No. 836, dated the 30th August 1934 [A. S. LIV, 167, para. 6 (a)].

CHAPTER XI.

AFGHAN DEALINGS WITH BRITISH TRIBES.

A. PRELIMINARY—THE SITUATION UP TO THE END OF AMANULLAH KHAN'S REIGN.

1037. The policy with regard to Afghan intrigues with British Tribes is described at length in Chapter XXIV of Sir Richard Maconachie's *Précis on Afghan Affairs*. For a proper appreciation of the policy that chapter should be read in full. The following is only the briefest summary of it :—

1. **Motives for the policy of Intrigue.**—(i) Afghanistan regards the tribal belt as the 'prickly hedge' which protects her from British aggression.

(ii) In the event of hostilities with India, the tribal belt contains some of the finest fighting material at the King of Afghanistan's disposal.

These two are the real reasons for Afghanistan maintaining friendly relations with the tribes. There is a third justification for the practice, which, though not so real, is nevertheless not entirely fictitious, namely.

(iii) The payment of allowances in the tribal belt is a form of blackmail paid for abstention from raiding by the recipients.

[A fourth reason for the policy has emerged later, namely that the Ruling House of Afghanistan found in the services of British Tribesmen its best security of tenure of the Afghan Throne. (Sir Ralph Griffith, 1932, paragraph 1051 below).]

2. **Manifestations of the Policy.**—The most signal manifestations of the Policy up to 1927 were :—

'(i) the payment of allowances to tribesmen domiciled within the British border ;

(ii) the retention in Afghan pay of 'Khassadars' or tribal levies, whose homes are on the British side of the line, who spend most of their time there, and consist almost entirely of persons hostile to the British administration ;

(iii) the summoning of tribesmen from beyond the border to assemblages held under the presidency of the Amir or his officials.'¹

3. **Afghan explanations of the Policy.**—The Afghans usually did not admit that British tribesmen had been 'summoned', but said that they had come of their own accord, and that Pathan or Afghan custom with jirgas made it impossible for Afghan officials to send them away without seeing them, entertaining them, and paying them their expenses. It 'was usually on the occasion of a jirga that allowances were distributed ; British reports of the payment of such allowances were explained as misrepresenting merely the expenses for food and leave-taking customarily paid to a jirga on its dismissal, and when Khassadars were allowed to serve in their own homes, or, in other words, required to do virtually nothing at all except draw their pay, their status clearly approximated for all practical purposes to that of allowance-holders.'²

4. Afghan allowances to British Tribes. History of the case.

(a) **Before the accession of Amanullah Khan.**—Afghan intrigue with the tribes, including the regular payment of allowances, most of the recipients of which were anti-British, was continuous in spite of

(i) An agreement concluded in 1893 whereby the Amir Abdur Rahman was precluded from exercising any interference with the 'independent tribes' on the British side of the Durand Line ;

(ii) A renewal of this agreement with the Amir Habibullah in 1904.

¹ Note by Sir D. Bray (21st September 1925) (A. S. XIX, n. pp. 4-5).

² *Afghan Précis* (by Sir R. R. Maconachie), para. 464.

(b) **During Amanullah Khan's Reign.**—Amanullah Khan's attitude to the tribes was 'irredentist'. In reply to British objections made at the Mussoorie conference of 1920, the Afghan delegates pointed out that neither their practice nor the British complaint was new. The only tangible result of the discussions was a written statement on behalf of the Afghan Government, after the Treaty was signed, that the Afghan Government¹ 'has no intention of doing anything to instigate unrest in the territory of her neighbour and does not do so. The Exalted Government of Afghanistan will try their best to ensure that the frontier tribes, being tranquil, shall not take antagonistic steps against the subjects of her friend.'

Any value these assurances might have had was clearly discounted by the denial that the existing practice of the Afghan Government (which included the payment of allowances) was objectionable.

First Promises of Abstention.—After prolonged negotiations on the subject a limited promise was obtained from the Afghan Government on 3rd April 1924 in the following terms :—

" So long as present Treaty remained in force no Afghan pay or allowances of any kind would be paid to Waziristan tribesmen. He (King Amanullah Khan) could not undertake stoppage of payment of usual entertainment expenses to British tribesmen visiting Afghan officials, but promised that visits would not be encouraged and that these payments would be small. He said that before negotiations for next treaty were opened he could not formally sign away Afghan claims, hitherto maintained, to pay allowances to all frontier tribes.

This promise, restricted as it was to Waziristan tribesmen, and leaving open the loophole of entertainment expenses, nevertheless forms a landmark in the history of the subject. ”²

Signs of Progress.—Towards the end of King Amanullah's reign there appeared to be definite signs that the Afghan Government was moderating its payments of allowances to British Tribesmen. Further than this it was not possible to go. Payments did undoubtedly continue to be made, and protests were made on various occasions by His Majesty's Minister.

5. Employment of British Tribesmen as Afghan Khassadars.—This was a new departure beginning with King Amanullah's reign. To a request made by His Majesty's Government in 1924 for the permanent dismissal of Wazir and Mahsud Khassadars and an undertaking that they would thereafter receive no payment in any form from the Afghan Government, the Afghan Foreign Minister replied expressing 'affection and gratitude', but gave no further undertaking. During the Khost Rebellion necessity made the Afghan Government enlist, or re-enlist, large numbers of Wazirs and Mahsuds for their own protection. After the Rebellion they were supposed to be dismissed, and in an audience granted to Sir Francis Humphrys in February 1927 the King definitely stated that they had been so dismissed and were not re-employed. The Frontier Administration however did not accept the truth of this statement and were able to forward to the Government of India lists showing the actual names of the British tribesmen still employed as Afghan Khassadars; they stated that one-third of these tribesmen were always on duty, and two-thirds on leave at their homes, all drawing full pay all the time.

6. Reception of British Tribesmen at Afghan Jirgas.—Jirgas of British Tribesmen have frequently visited and been received by Afghan officials of all ranks, including the King himself. The difficulty, as already described, is to decide when they have been summoned and when they have gone of their own accord. The following extract from a letter from the Resident in Waziristan explains the situation :—

" A mistake is liable to arise if we consider this question as one merely of 'summoning' our tribesmen..... It is

¹Afghan Précis (by Sir R. R. Maconachie), para. 473.

²Afghan Précis (by Sir R. R. Maconachie), para. 474.

only too easy for the Afghans to evade the intention of any restrictions on unfriendly demonstrations of this type, if we lay stress on the act of 'summoning'. The offensiveness of these official meetings lies not so much in the fact that our tribes are deliberately invited.....as on the fact that the Afghans studiously encourage the idea among our tribes that they can count with certainty on a welcome from the Amir, whenever they are at loggerheads with us..... We may ask ourselves what the Amir would do in this matter if he really were determined to show his friendliness towards us. He would undoubtedly refuse either to see our tribes himself or to allow his high officials to do so. He would dismiss our tribes, either with the minimum of 'expenses' or with none at all."¹

This was in fact the line taken by the British Minister with the Amir on April 3, 1924.

B. DEVELOPMENTS UNDER KING NADIR SHAH AND LATER.

1038. The King's Personal Connections with the Frontier Tribes.—From the time of Amanullah Khan's accession to September 1923 the 'portfolio' of Frontier Affairs was held by S. Nadir Khan, whose views on the maintenance of the Afghan connection with British frontier tribes were that it was 'essential to Afghanistan, both as an offensive and defensive weapon'. Even after his transfer, and until his departure to Europe, Nadir Khan continued to interfere in Frontier Affairs. It was small wonder, then, that when he returned to rescue Afghanistan from civil war and to restore the Monarchy, he should expect to draw, and succeed in drawing, valuable support from British Tribal Territory.

Nadir Khan attempted to raise for his support Afridis, Orakzais, Kurram tribesmen, Daurs of the Tochi Agency, Wazirs and Mahsuds. He had no success with the Afridis or with Kurram Tribesmen, and any success he might have had with Orakzais was nullified by the Government of India's refusal to allow Orakzai tribesmen to march to his support through the Kurram Valley. Among the Daurs, Wazirs and Mahsuds he was considerably more successful. The Government of India's policy of restraint no doubt kept large numbers away from him, but total prevention was quite impossible and it is probable that as many as 3,000 tribesmen, many of them unarmed, joined him. Their accession to his standard marked the turning of fortune in his favour, and they were prominent in the actual capture of Kabul. Nadir had no money with which to reward them for their services but allowed them to loot Government buildings in Kabul, and sent them away with such marks of appreciation as the conferment of honorary rank in the Afghan Forces and the grant of certificates which might, or might not, be redeemable in cash 'in the spring'. The services thus rendered by the tribesmen to the new King must inevitably have seemed to Nadir Shah a justification of the frontier policy which he had always supported. At the same time his genuinely friendly feelings towards the Government of India made him want to fulfil as far as he honestly could their requests for abstention from further dealings with their tribes. The tribesmen who had helped him made things no easier for him by an attitude towards him amounting almost to blackmail, which they felt was justified by their services to him and by his failure to pay them adequate rewards. They expected also that he would be anti-British, and when they found that he was not their feelings towards him rapidly turned to resentment. These culminated in the Wazir-Mahsud incursion into Khost in 1933 and the pro-Amanullah intrigue that went on in Waziristan in the same and following years.

¹(A. S. XII, 102.)

It is significant of the honesty of King Nadir Shah's policy that he made no secret to the Government of India of his attempts to recruit British tribesmen to his standard. He asked openly for permission for the Orakzais to come through the Kurram, and in a letter dated 26th August 1929 notified the Government of India of the necessity by which he was regretfully compelled to summon Wazirs and Mahsuds.¹ His frankness in this respect did not produce any relaxation in the Government of India's attempts to restrain their tribesmen, and in informing him that they must continue to prevent the tribes from participation they trusted that he would in his own interests realise that this was an essential part of their policy of neutrality.² Nadir's³ reply contained the following important statement :—

“ I have no doubt that Government realises that these tribes from time immemorial up to the present time, that is to say, during the reign of Amir Abdur Rahman, Amir Habibullah Khan and Amir Amanullah, both in offence and defence, have always taken part. For tribal and religious matters they are partners with us.”

1039. Causes of Complaint.—The confusion following the events of 1929 and the early part of 1930 made it necessary to allow time for the situation to clarify itself before the Afghan Government could be approached on their attitude towards the Frontier Tribes. In the interval the chief complaints from British Frontier Officers were :—

- (i) That certain tribesmen who had committed heinous offences against British subjects were finding honours and rewards in Afghanistan. Prominent among these was Bostan, Mahsud, the murderer of Lieutenant Stevens and Assistant Surgeon Cabral.
- (ii) That tribesmen who were notoriously hostile to British interests were openly proclaiming themselves as protégés of the Afghan Government, some of them claiming high military rank and others the receipt of large cash rewards. The most conspicuous of these were Fazl Din, Musa Khan, Sadde Khan and Ramzan, Mahsuds.
- (iii) That British tribesmen were employed as Afghan Khassadars and particularly that they were employed on the British side of the Line.

In spite of these complaints there was no doubt that the Afghan Government did not take the opportunity, which the Frontier Disturbances of 1930 might have presented to them, of stirring up trouble among the tribes. On the contrary, the King's attitude was 'of incalculable value'. The following are two typical extracts from Waziristan telegrams of that period :—

- (i) Extract from telegram dated 1st June 1930.⁴

“ Abdullai of Makin said to have received letter from Musa Khan who is now in Kabul saying that Nadir Shah had told him Mahsuds need not look to him for support.”

- (ii) Extract from telegram dated 5th July 1930.

“ Distribution of four hundred sovereigns by Miralai to Kundalai's lashkar confirmed. Also Miralai has created Khonia Khel⁵ Afghan General. Both these acts committed in Nadir Khan's name but I suspect that money was found by Sadde Khan who has a large hoard.”

¹ Telegram from N. W. F. P., No. 628-P. N., dated 6th September 1929 (A. S. XXVIII, 187).

² Telegram to N. W. F. P., No. 2693-S., dated 7th September 1929 (A. S. XXVIII, 193).

³ Express letter from N. W. F. P., No. 2433-P. S. N., dated 18th September 1929 (A. S. XXVIII, 245).

⁴ Telegram from N. W. F. P., to Home Department, No. 525-P., dated the 1st June 1930 (A. S. XXXII, 23).

⁵ A particularly offensive Mahsud.

The apparent close association of Mahsud hostiles with Kabul was brought to the Afghan Foreign Minister's attention by the British Minister in an interview on 24th July. The British Minister, while acknowledging the general correctness of the Afghan attitude, made it clear that this close association required some explanation.¹

1040. **Oral Assurances given by Afghan Government, August 1930.**—The announcement of the material aid in the form of rifles and a long term loan which His Majesty's Government was giving to the Government of Afghanistan, was made the opportunity by His Majesty's Minister of laying before the Afghan Government certain views of the British Government on Afghan Frontier Policy. He had an audience with King Nadir Shah on 16th August 1930, followed at short intervals by interviews with S. Mohammad Hashim Khan the Prime Minister, and S. Faiz Muhammad Khan the Foreign Minister.²

Sir Richard Maconachie stated that the features of Afghan policy to which His Majesty's Government took particular exception were:—

- (i) The invitation of British tribesmen to jirgas by Afghan officials.
- (ii) The payment of allowances by the Afghan Government to British tribesmen.
- (iii) The employment of British tribesmen on the Indian side of the Line as Afghan Khassadars.
- (iv) The grant of honorary rank to persons who subsequently, and largely by virtue of that rank took a leading part in anti-British disturbances.

The King explained that honorary rank had been given because he had nothing else to give, and that he had never dreamed that it could cause embarrassment to the British. He did not reply on the other points, but gave a general assurance that his frontier policy was and would remain, the maintenance of peace on both sides of the frontier.

As a record of this interview and of his interviews with the two Ministers, Sir Richard Maconachie drafted an aide-memoire for the Prime Minister's signature. The first paragraph of this read as follows³:—

Copy of Draft Aide-Memoire for consideration by the Ministers.

"1. The Afghan Government have taken note of the statement made by the British Minister as to the attitude of His Britannic Majesty's Government in regard to certain frontier matters and in particular in regard to:—

- (a) the payment of allowances by the Afghan Government to members of tribes residing on the Indian side of the Indo-Afghan frontier;
- (b) the summoning of the members of such tribes by Afghan officials to jirgas; and
- (c) the employment by the Afghan Government of members of such tribes as Khassadars on the Indian side of the Indo-Afghan frontier.

The Afghan Government are prepared to discuss such matters on a convenient occasion, and propose that in future the Prime Minister of the Afghan Government and the British Minister should sit as a permanent commission for the settlement of all questions affecting the Indo-Afghan frontier which may arise between the two Governments."

¹ Telegram from Min., Kabul, to F. O., London No. 85, dated 25th July 1930 (A. S. XXXIII, 178).

² Despatch from Min., Kabul, to F. O., London, No. 63, dated the 9th September 1930 (A. S. XXXV, 190).

³ Enclosure 2 (B) to Kabul Despatch No. 63, dated the 9th September 1930 (A. S. XXXV, 190).

This paragraph of the aide-memoire was never signed. The Foreign Minister explained the Afghan attitude as follows :—

“As regards invitations of tribesmen to jirgas his Government were ready to promise that they would not so summon our tribesmen, but would have to explain that if these tribesmen came at their own instance they could not, in defiance of all Pathan custom, be driven away without being shown any consideration and paid the ordinary expenses.

In regard to Khassadars they wished to state quite frankly that they intended to employ tribesmen, some of whom might be ours, in their military forces inside Afghanistan. Occasionally such tribesmen would go on leave and then they would be on the Indian side of the line, while in the service of the Afghan Government.

As regards allowances they simply could not, for the reasons already explained, agree to discontinue these and therefore it was no use discussing the point.”¹

After further discussions the negotiations ended with the Foreign Minister telling Sir Richard Maconachie that the Prime Minister had authorised him to state orally that the Afghan Government had taken note of the attitude of the British Government in regard to the subjects in question; and would be ready to discuss them on a favourable occasion; and in addition to give the following oral assurances :—

“The Afghan Government would not summon tribesmen from the Indian side of the line to jirgas in Afghanistan, although if such tribesmen came they would have to be treated with the consideration required by ordinary Pathan custom; the Afghan Government would not employ Khassadars on the Indian side of the frontier, although, as already explained, tribesmen from that side of the frontier might be enlisted in their military forces and occasionally go on leave to their homes; and that the whole frontier policy of the Afghan Government would be actuated by a desire for peace on both sides of the frontier and a spirit of true friendship towards His Majesty's Government. The Afghan Government did not however ask the British Government to accept such assurances as final, but to judge their actual policy on the Indian frontier by its results. They must however ask that none of these assurances should be required in writing, for the reason already given, and that no mention of the subject should be made in the aide-memoire.”¹

1041. The discussions of March 1932. Further Assurances by Afghan Government.—The next important discussion of policy between the two Governments took place in the spring of 1932. It was preceded by a conference in Peshawar between His Majesty's Minister, Kabul, the Foreign Secretary to the Government of India, the Chief Commissioner and Agent to the Governor General, North-West Frontier Province, and the Agent to the Governor General, Baluchistan.² As a result of this conference it was agreed that His Majesty's Minister should bring to the notice of the Afghan Government the following five matters in which their relations with the tribes domiciled on the Indian side of the frontier was considered objectionable :—

- “(a) The payment of allowances by the Afghan Government to these tribes.
- (b) The summoning of individual members, as well as jirgas, of these tribes to Afghanistan.
- (d) The grant of civil and military ranks by the Afghan Government to these tribesmen.

¹ A. S. XXXV, 190. Enclosure 1-C.

² Pages 13-25 of notes in F. No. 231-F/31.

- (e) Correspondence between Afghan officials and these tribesmen.
- (f) The employment by the Afghan Government of Khassadars on the Indian side of the line."

On 29th March 1932 Sir Richard Maconachie had an interview with the Prime and Foreign Ministers for the purpose of discussing these matters. His conclusions after a long and trying interview which is described in full in his Memorandum No. 44, dated the 1st April 1932 (reproduced as Appendix to this Chapter)¹ were that the Afghan Government admitted that the practices discussed were wrong in principle and harmful to the British Administration, that they were not at the moment strong enough to discontinue them, but that they would discontinue them as soon as they were in a position to do so.

Both Frontier Administrations hailed the admission by the Afghan Government that the practices in question were undesirable as a substantial advance on the previous position.² They agreed also that the claims of the Afghan Government in respect of the friendliness of their relations towards the British Government were largely correct, and that British policy should for the immediate future be confined to protests against particular examples of unfriendly policy as they might occur. The North-West Frontier Province Administration noted that there was still a long way to go before mutual relations could be said to be on a satisfactory footing and instanced.

- (i) The continued employment of no less than 234 Ahmadzai Wazir Khassadars,
- (ii) The payment of regular allowances to certain Kurram Maliks and
- (iii) Afghan dealings with such persons as Maulvi Bashir and the Haji of Turangzai.

His Excellency Sir Ralph Griffith added that the real reason for the maintenance by the Afghan Government of relations with British tribesmen was, in his opinion, the conviction that in the services of British tribesmen the Ruling House found its best security of tenure of the Afghan throne.

1042. Satisfactory tendencies of Afghan Policy, 1932-33.—The first protest made after the interview of 29th March 1932 was a formal protest dated 15th June 1932 against the continued employment on the Indian side of the line of the 234 Ahmadzai Wazir Khassadars already mentioned.³ Other protests were made during the next eighteen months on the subject of the payment of allowances to Para Chamkannis of the Kurram⁴ and of Afghan dealings with Maulvi Bashir.⁵ Taking the period up to the end of King Nadir Shah's reign as a whole, however, the Afghan frontier policy was generally all that it should have been. For this reason and for reasons connected with the Wazir-Mahsud incursion into Khost in the spring of 1933, few opportunities to protest were taken. It was true that allowances were still being paid,⁶ that jirgas were still being received,⁷ that British tribesmen were still being employed as Afghan Khassadars on the Indian side of the line⁸ and that individuals openly hostile to British interests were still being received in Kabul,⁹ but on the other hand the allowances previously paid were being reduced,¹⁰ the jirgas were generally coldly received,¹¹ and individuals hostile to British interests were more often than not subjected to some kind of restraint or unwelcome persuasion. In these circumstances the Government of India, though continuing to send

¹ S. No. 110 in F. No. 231-F/31.

² *Ibid* 123 and 141.

³ F. 231-F/31, S. No. 138.

⁴ F. 231-F/31, S. No. 239, para. 6.

⁵ F. 231-F/31, S. No. 177.

⁶ Cf. F. 231-F/31, S. Nos. 208 and 208.

⁷ Cf. F. 231-F/31, S. No. 235.

⁸ Cf. F. 231-F/31, S. No. 211.

⁹ Cf. F. 231-F/31, S. No. 177.

¹⁰ Cf. F. 231-F/31, S. No. 161.

¹¹ Cf. F. 231-F/31, S. Nos. 154, 168, Enclosure II.

to the Minister requests for protests on particular points, were content to leave to his discretion the decision when and in what form the protest should be made.

1043. Re-Statements of Policy and Exchange of Notes, December 1933.—In exercise of this discretion Sir Richard Maconachie discussed with the Foreign Minister on 12th October 1933 those points in 'the recent dealings of the Afghan Government with the Pathan tribes resident on the Indian side of the Frontier', which the Government of India had wished him to raise. The discussion was a friendly one, and after its close the British Minister handed to the Afghan Foreign Minister an aide-memoire written in a personal form summarising the remarks which he had made. Somewhat to his surprise he received two months later a note from the Afghan Foreign Minister in reply.

The British Minister's aide-memoire,¹ after recalling the assurances given by the Afghan Government in 1930 and 1932, acknowledged that the Frontier Policy of King Nadir Shah's Government had throughout been actuated by a desire for peace and a spirit of good-will, but called attention to certain particular points which seemed to show some divergence from that policy; these included allowances to residents of the Kurram Agency, the summoning of Wazirs to a jirga at Urghun, and the retention of 234 Ahmadzai Wazirs as Afghan Khassadars on the Indian side of the Line. The Foreign Minister in his note² reiterated the Afghan Government's desire to do nothing that would create political difficulties for the Government of India and claimed that they had fulfilled in every detail their obligations under the agreement arrived at between the Government of India and former Afghan Governments and endorsed by the Government of his late Majesty King Nadir Shah. With regard to summoning jirgas, the Afghan Government would not summon jirgas from the tribes living on the further side of the border, but could not refuse to see representatives whom the tribes sent to the King's Court of their own accord.

"The Afghan Government further undertook not to appoint Khassadars from the tribes living on the further side of the frontier but requested that if within the territory of Afghanistan it maintained Khassadars from the tribes, its action should not be construed as one of ill feeling or hostility towards the British Government, while it agreed that if such Khassadars proceeded to their homes on leave they should not be recognised as Afghan Khassadars on the further side of the frontier, and that if they absented themselves from duty, the Afghan Government would deal with them on their return in accordance with its own military laws."³

As to keeping up relations with the Frontier Tribes, this had been done from time immemorial and the present Government was compelled to follow the example of its predecessors. If it was the object of British Policy to stop Afghan relations with the tribes altogether, 'it could be safely said that this was a step fraught with great danger and an endeavour which could produce no good'. Afghanistan and the frontier tribes were neighbours possessing a common tongue and a common descent as well as a common religion, and on this account close relations had for centuries existed between the two. So far from the practice of the Afghan Government paying allowances to the frontier tribes being a source of danger to British interests, this practice had of later years actually proved an advantage to the Government of India. Any interruption or weakening of the relations between the tribes and the Afghan Government resulted at once in grave danger to Afghanistan and the Frontier. It was indeed quite impossible for the present Government to stop paying the tribal allowances which former Afghan Governments had paid.

¹ F. 231-F/31, Enclosure I to S. No. 239 reproduced as Appx. II to this Chapter.

² F. 231-F/31, Enclosure II to S. No. 239 reproduced as Appx. III to this Chapter.

³ F. 231-F/31, S. No. 239, Enclosure II, para. 2.

After the discussion of 12th October and the subsequent exchange of notes, Sir Richard Maconachie advised that, as the good-will and sincerity of the Afghan Frontier policy was by now freely admitted by the Government of India, as the pursuance of it had involved the Afghan Government in very serious difficulties, and as repeated protests about particular cases of divergence which the Foreign Minister regarded as pettifogging details served no useful purpose, he should in future not be pressed to represent each particular case as it was reported to the Government of India but should be allowed discretion to defer representations until it appeared to him that they could be really useful.¹

His Excellency Sir Ralph Griffith, Governor of the North-West Frontier Province, agreed that the Afghan Government's policy generally had been one of loyalty to their obligations, and was therefore content to leave the time and manner of making representations to the Minister's discretion. At the same time he noticed a hardening of the Afghan attitude towards the payment of allowances to British tribes. In 1930 and 1932 they had admitted that such payment was wrong in principle and that they ought to discontinue the practice when they were strong enough to do so; in 1933 they not only said that they could not discontinue it, but they actually claimed that it had proved of advantage to the Government of India. Sir Ralph Griffith therefore recommended that continued pressure should be applied to keep the Government of India's grievances permanently before the Afghan Government.²

The British Government's decisions were conveyed to His Majesty's Minister, Kabul in despatch from His Majesty's Secretary of State for Foreign Affairs to His Majesty's Minister, Kabul No. 53 (N.-2660/88/97), dated 3rd July 1934.³ The Secretary of State agreed that the Afghan Government's policy generally was satisfactory, noted that they appreciated the attitude of His Majesty's Government over the questions which had been discussed, approved of the Government of India's bringing to the notice of the Minister cases in which it appeared to them that Afghan interference had exceeded the bounds of ordinary usage, or had been actuated by unfriendly motives, and authorised the Minister to use his discretion in deferring representations until he considered it really useful to make them. These instructions were not to preclude consideration of immediate action on any special recommendation which the Government of India might from time to time desire to make.

Summary of the situation at the end of 1934.

1044. (i) **General.**—By the end of 1934 it was admitted on all sides that the situation generally in regard to Afghan Frontier Policy was good.⁴ There remained a number of particular instances of divergence from the general policy to which the Government of India took exception. The Government of India if they thought particular instances were of sufficient importance, reported them to the Minister who either made or deferred representation of them to the Afghan Government according to the situation at the moment.

(ii) **Payment of allowances to British Tribes.**—The Afghan Government regarded this as a practice which had come down to them from time immemorial and considered it impracticable to put a stop to it. The British Government did not acquiesce in this attitude, but merely "appreciated the difficulties of the present Afghan Government and did not press for the immediate cessation of allowances".⁵ Nevertheless the allowances that were still being paid had been considerably reduced.

¹ F. No. 231-F/31, S. No. 239.

² F. No. 231-F/31, S. No. 247.

³ F. No. 231-F/31, S. No. 254.

⁴ S. Nos. 239, 246, 247, 248, 254 *ibid.*

⁵ S. No. 261 *ibid.*

(iii) **Summoning of Jirgas.**—The Afghan Government did not summon jirgas of British tribesmen, though occasionally their subordinate officers might do so contrary to their direct instructions. At the same time they expressed their inability to turn jirgas away which came to see them of their own accord. In actual fact the jirgas which did visit the Court or high Afghan officials, got colder and colder comfort each time, and were sent away with less and less in the way of 'Kharcha'.

On at least two occasions when Afghan officials had direct dealings with tribes of the Khyber Agency, the Government of India decided for special reasons not to protest.¹

(iv) **Summoning of individuals.**—The Afghan Government disclaimed as a policy the summoning of individual tribesmen from the British side of the line, but as exceptions they had to see those who came to visit them, had to receive a certain number with whom they had old established relations, and had occasionally to summon certain others of the more mischievous ones for the purpose of exercising some sort of restraint on them. In practice there is no doubt that they did their best to control, and either forbid or prevent, anti-British tendencies in persons like Fazl Din, Musa Khan, Maulvi Bashir, the Haji of Turangzai and the Badshah Guls, his sons.

(v) **Employment of Khassadars.**—The Afghan Government had undertaken not to employ Khassadars from among British tribes on the Indian side of the line. In spite of this they had over 200 Ahmadzai Wazirs and 500 Mahsuds in their employ, most of whom spent six months of the year 'on leave' in their homes on the Indian side of the line, drawing full pay.

1045. **Re-statements of Policy, Winter 1935-36.**—A further description of their own Frontier Policy was given by the Afghan Prime and Foreign Ministers to the British Minister in October 1935, when Colonel Fraser Tytler mentioned certain fresh causes of suspicion which were exercising the minds of the Government of India. The events which were causing 'definite apprehensions that the Afghan Government were interfering in matters outside their concern' included

- (i) Apparent encouragement of Badshah Gul, son of the Haji of Turangzai².
- (ii) Reported speech of the Foreign Minister to a jirga of Shinwaris, Mohmands and others at Dakka during the Mohmand operations.
- (iii) Criticism in the 'Islah' of British Foreign Policy³.
- (iv) The reported summoning of an Afridi jirga to Jalalabad in September 1935.

The Afghan Ministers' replies showed that they were fully aware of their responsibilities in the matter of non-interference across the Durand Line⁴. Before this conversation was held, the Government of India had been of opinion that a fresh declaration of their Frontier Policy was necessary, with the particular object of refuting the accusations and misleading statements which the article in the Islah contained⁵. On receipt of a record of this conversation they came to the conclusion that such a statement was not necessary. The point which they had wished to make clear to the Afghan Government was that the tribes on the British side of the Durand Line were not independent, and that the Government of India had a clear right to administer up to the Durand Line when they saw a necessity to do so. Colonel Fraser-Tytler's despatch showed, in their opinion, that he had been at pains to emphasize this aspect of the matter, and in particular that he had drawn the attention of the Afghan Government to Sir Austen Chamberlain's discussions of 1928⁶, eliciting from the Afghan Government an admission that they fully acknowledged

¹ F. No. 231-F/31, S. No. 240 (A. S. LIII, 214).

² Cf. Memo. to the N. W. F. P. Govt., No. F.363-F/34, dated the 7th September, 1935 (A. S. LVII, 298).

³ Despatch from Min., Kabul, to F. O., London, No. 105, dated the 14th September 1935 (A. S. LVIII, 70).

⁴ Despatch from Min., Kabul, to F. O., London, No. 114, dated the 11th October 1935 (A. S. LVIII, 248).

⁵ Telegram to I. O., London, No. 2766, dated the 4th October 1935 (A. S. LVIII, 197).

⁶ Appendix to Chapter I.

the Durand Line as the boundary of Afghanistan, and that being aware of the attitude of the Government of India to the tribes on the British side of that Line, they offered as far as was possible to abstain from interference across it¹.

1046. Statements of policy similar to that made in the interview of the Prime and Foreign Ministers with the British Minister in October 1935, were made by the Foreign Minister to the Governor of the North-West Frontier Province and His Majesty's Secretary of State for Foreign Affairs in January and February 1936². They may be accepted as giving a true picture of the Central Government's own idea of their policy on the joint Frontier, namely that they recognized and will do their very best to fulfil, their responsibilities and obligations, but that at the same time they do most earnestly wish that the policy of the Government of India would give them less frequent opportunities of proving the fact.

1047. **Recent instances of suspicion.**—In June 1934 the Resident in Waziristan suspected a recrudescence of Afghan intrigue among the tribes of Waziristan, manifesting itself chiefly in the summoning of jirgas or individual maliks to Khost, and the offering of new or increased allowances.³ The War Minister denied that anything of this sort was going on⁴. The Governor of the North-West Frontier Province gave his opinion that the Afghan Government themselves were loyally observing their undertakings, but admitted that Afghan local officials were more inclined to have dealings with Wazir Maliks than was proper. An informal verbal warning of the folly of this was given by the British Minister, Kabul to the Foreign Minister on 18th July 1934⁵.

1048. Mohammad Ayaz, an Afghan official holding the appointment of Ghund Mashar at Jalalabad was very strongly reported to have been intriguing with Afridis, particularly with the anti-British 'serishta' party in the cold weather of 1934-35. A cousin of his, a colonel in the Afghan army, was said to be assisting him⁶. The British Minister mentioned these accusations to the Prime Minister, who promised to take severe action against Mohammad Ayaz if they were established⁷.

1049. As a result of these and other reports a written protest was delivered by Sir Richard Maconachie to the Afghan Government⁸. The Prime and Foreign Ministers in reply denied that there were any Afghan allowance-holders among the Afridis, and that Afridi Maliks who visited Jalalabad received anything but the barest expenses⁹. The Government of India again had reason in September 1935 to believe that an Afridi Jirga had been summoned to Jalalabad by the Hakim-i-Ala,¹⁰ but in the end came to the conclusion that they must accept the Afghan Government's emphatic denial that any jirga had been *summoned*, and that even if this assurance were rejected the facts were against the suspicion that Afghan officials had acted in bad faith.¹¹

1050. In the cold weather of 1935-36 a blockade was imposed on the Afridis, not with a view to compelling them to agree to construction of the road, but for a settlement of outstanding cases against them and to recall them to observance of their 1898 agreement¹². The anti-Government party took the opportunity of visiting Jalalabad in large numbers to misrepresent

¹ Letter to I. O., London, No. F. 518-F/35, dated the 11/16th January 1936 (A. S. LIX, 121).

² Despatch from F. O., London, to Min., Kabul, No. 16 (N-652-233-97), dated the 5th February 1936 (A. S. LIX, 201).

³ Express letter from N. W. F. P., No. 292-P. S./901 (1), dated the 11th June 1934 (A. S. LIII, 242).

⁴ Telegram from Min., Kabul, No. 494, dated the 4th July 1934 (A. S. LIV, 19).

⁵ Telegram from Min., Kabul, No. 512, dated the 19th July 1934 (A. S. LIV, 63).

⁶ Letter from N. W. F. P., No. 599-600-P.C.-1086 (4)-P.S., dated the 25th February 1935 (A. S. LV, 254).

⁷ Telegram from C. d' A., Kabul, No. 268, dated the 12th March 1935 (A. S. LVI, 18).

⁸ See File No. 65-F./34 (Secret).

⁹ Despatch from Min., Kabul, to F. O., London, No. 45, dated the 4th April 1935 (A. S. LVI, 116).

¹⁰ Telegram to Min., Kabul No. 323, dated the 25th September 1935 (A. S. LVIII, 127).

¹¹ Confdl. X. L. to Min., Kabul, No. F. 387-(ii)-F./35, dated the 12th October 1935 (A. S. LVIII, 239).

¹² Memo. from N. W. F. P. Govt. No. 394-P.S., dated the 17th October 1936 (F. No. F. 384-F./35 S. No. 61).

the case and protest against British high-handedness. The Afghan Government were placed in full possession of the facts, and their attention was drawn informally to the necessity of ensuring that their local officials not only refrained from interference but took active steps to discourage the idea that in resisting the British Government, the recalcitrant Afridis had the support of the Afghan Government.¹

REVIEWS OF POSITION DURING 1936.

(i) Sir Ralph Griffith's charges.

1051. In August 1936 His Excellency the Governor of the North-West Frontier Province reported certain adverse developments in the tract comprising Bajaur, Mohmand Country, and Afridi Tirah. These developments included :—

(i) *In Mohmand Country*.—Letters of defiance to Government from the lesser maliks of certain tribes, attempts by Badshah Gul to undermine the influence of loyal maliks by giving others letters of instruction to Afghan officials, talk by the anti-British hostile Faqir of Alingar of arranging for the payment of Afghan allowances in Utman Khel country, reports of the payment of excessive sums by Afghan officials to British tribesmen, and reports of heavy payments by the Afghan Government to Badshah Gul.

(ii) *In Bajaur*.—Similar activities on the part of the Faqir of Alingar, and to a less extent Badshah Gul.

(iii) *In Afridi Territory*.—Favourable reception of anti-British leaders by Afghan officials, and a general impression in Afridi Territory that the Afghan Government were opposed to the construction of a road in Tirah.

His Excellency summarised the situation in these three areas by saying

“The tendencies appear to indicate a hardening of tribal opinion against our believed determination to penetrate the tribal areas, as well as an exercise of influences by Afghan officials so assiduous and in their nature so opposed to our policy and interests as to give rise to some doubt as to the good faith of that Government's frequently-repeated assurances of good-will and correct behaviour. It would seem that the tribal attitude is largely the result of the attitude of the Afghan officials referred to, from which it derives direct and indirect support and encouragement.”²

(ii) Colonel Fraser-Tytler's comments.

1052. Colonel Fraser-Tytler's comments on the charges against the Afghan Government, which he described as so serious that if proved they would warrant His Majesty's Government breaking off all friendly negotiations with Afghanistan, are contained in his despatch No. 136, dated the 1st October 1936³. He reiterated his belief that His Majesty King Nadir Shah's Government and the present Afghan Government had followed loyally their promise that ‘their whole frontier policy would be actuated by a desire for peace on both sides of the frontier and by a spirit of true friendship towards His Majesty's Government’. He admitted that there was a change in the situation since 1934, when His Majesty's Government had last expressed themselves satisfied with the conduct of the Afghan Government in its relation with the frontier tribes⁴, but

¹ Telegram from Min., Kabul, No. 105, dated the 6th November 1936 (F. No. 384-F/35, S. No. 64).

² Memo. from N. W. F. P. Govt., No. 3133-P. C., dated the 2nd August 1936 (A. S. LXI, S. No. 1).

³ Despatch from Min., Kabul., to F. O., London, No. 136, dated the 1st October 1936 (A. S. LXI, 112).

⁴ Despatch from F. O., London, to Min., Kabul, No. 53 (N2660-88-97), dated the 3rd July 1934 (A. S. LIV, 20).

stated that the change was with the Government of India not with the Afghan Government. He elaborated this statement, and his conclusions, as follows¹:—

“ Even with the Government of India, it is not a change but a development, of their policy of penetration into the tribal areas began in 1923 in Waziristan but always intended to cover the whole frontier. Since 1923 it has been practically confined to Waziristan, except in areas such as the Gandab valley, and the Khajuri plain where necessity has driven the Government of India forward. But in 1934 negotiations opened with the Afridis for the construction of a road to Bagh in Tirah, and in 1935 the road from Yusuf Khel crossed the Nahakki pass and by its very existence held out a threat to the independence of Upper Mohmand country and Bajaur. The result of these two movements are described in paragraph 14 of the North-West Frontier Province Government's memorandum under reference. To the Afridis “strong coercive measures of an abnormal character are being applied” and to the Mohmand “an important notice bearing somewhat of the nature of an ultimatum has recently been issued”. Surely such action as this is sufficient to account for the abnormal, if indeed they are abnormal, comings and goings between the Eastern Province and the tribal areas. The opposition party to our forward movements, driven to desperation at these threats to their independence, are doing what they have always done on occasions such as these. They are sending their emissaries in possibly increased numbers to seek the advice and sympathy of the Afghan Government. And the Afghan Government are doing what they have always done. They are receiving these emissaries hospitably in the usual Pathan fashion, listening to their grievances, no doubt giving them a few words of empty sympathy in reply as one Musalman to another, and sending them away with as small a present as possible. They will not alienate them by refusing to receive them. But it would take much more conclusive evidence than I have at present, to convince me that so able a statesman as Sirdar Muhammad Hashim Khan would deliberately court inevitable disaster not only to the tribes but also to himself and his Government, by encouraging these emissaries to resist our demands. ”

(iii) The Government of India's conclusions.

1053. The Government of India accepted to a certain extent the arguments of the British Minister and agreed with him that there was not sufficient evidence at present of any deliberate wish or attempt on the part of the Afghan Government to foil the Government of India's frontier policy, and that such dealings as Afghan officials were undoubtedly having with British tribesmen were dictated largely by a desire on the part of the Afghan Government to avoid the accusation of being entirely ‘subservient to British interests.’ They felt that it was probable that tribesmen were visiting Afghanistan in greater numbers than usual, as a result of the political situation in Afridi and Mohmand country and in Bajaur and had no doubt that these visits were causing embarrassment to the North-West Frontier Province Administration and had increased the unsettled atmosphere among the tribes. At the same time they felt that the exhaustive enquiries which would be needed to establish that Afghan interference with British tribesmen in that area had been materially in excess of normal, were not at the moment justified. Influenced by these reasons and by the sudden unexpected departure of the Prime Minister for Europe, an event which made it all the more necessary to deal gently with the Afghan Government, they did not think it advisable for His Majesty's Minister at

¹ Despatch from Min., Kabul, to F. O., London, No. 136, dated the 1st October 1936 (A. S. LXI, 112).

Kabul to make any strong diplomatic protest¹. They suggested that an informal oral protest should be made regarding the reported dealings of Afghan officials with Afridis. If this had no effect they would reconsider the position later.

1054. An informal protest had in fact, already been made. In reply the acting Prime Minister gave an assurance that officials in the Eastern Province, though finding themselves in a position of considerable embarrassment, were in no way exceeding their instructions². The particular embarrassment to which they were subjected at the moment was caused by a blockade of the Afridis imposed on account of breaches of their agreement of 1898 with the Government of India. Afridis were flocking in numbers to Jalalabad and misrepresenting the blockade as an attempt to compel them by force to agree to the construction of the Tirah road. Such an attempt by force would have been a breach of Government's declarations made both to the tribe and to the Afghan Government. No such attempt was being made and the Afghans were again told so³.

1055. **Mahsud boys at school in Kabul.**—An unpleasant development of the cold weather of 1933-34 was the admission of a number of Mahsud boys into the Afghan tribal school at Kabul⁴. Serious representations were made against this in Kabul, and the Prime Minister finally gave way⁵. In August 1935 it was reported that only two such boys, out of an original total of eighteen had gone back to school at Kabul, and for these two there were special reasons. One was the son of Ramzan and the other went to keep him company⁶.

1056. **Instances of proved direct dealings of Afghan officials with 'British' tribes in which protest has been considered inadvisable.**—The following are examples of occasions on which it has been decided to pass over without protest admitted cases of Afghan dealings with frontier tribesmen on the Indian side of the Durand Line—

(i) Raid by Zakka Khel Afridis into Afghan Territory in 1931; settlement made by Afghan officials direct with tribesmen⁷.

(ii) In the spring of 1934 there was trouble on the border between Afghan officials and Shinwaris⁸. In order to effect a settlement the local Afghan authorities summoned tribesmen and took certain action themselves on the Indian side of the Durand Line. In view of the fact that the Government of India were not at the moment in a position to exercise control in the particular corner of Bajaur concerned, and that the question of respective spheres of influence in that area had not been taken up with the present Afghan Government, the Government of India decided not to protest against the action taken by the local Afghan authorities⁹.

¹ Letter to I O., London, No. F. 684-F/35, dated the 18th November 1936 (File No. 684-F/35, S. No. 58).

² Telegram from Min., Kabul, No. 105, dated the 6th November 1936 (F. No. 684 F/35, S. No. 64).

³ Telegram from Foreign, to Min., Kabul, No. 274, dated the 16th November 1936 (F. No. 684-F/35, S. No. 69).

⁴ Telegram from N. W. F. P., No. 214-S., dated the 10th July 1934 (A. S. LIV, 33), and Telegram from N. W. Frontier, No. 255-S., dated the 14th August 1934 (A. S. LIV, 124).

⁵ Telegram from Min., Kabul, No. 96, dated the 7th September 1934 (A. S. LIV 181), and Memo. from N. W. F. P., No. 64-P.S., 901 (4)-X, dated the 2nd February 1935 (A. S. LV, 186).

⁶ Memo. from N. W. F. P., No. 2427-P.C./901/1/XI, dated the 2nd August 1935 (A. S. LVII, 158).

⁷ Para. 1105.

⁸ Memo. from N. W. F. P., No. 1426-P.C.N-1305-P.S., dated the 15/17th May 1934 (A. S. LIII, 160).

⁹ Letter to Min., Kabul, No. D 2834-F/34, dated the 7th June 1934 (A. S. LIII, 214).

APPENDIX TO CHAPTER XI.

NOTE OF A DISCUSSION WITH THE AFGHAN PRIME AND FOREIGN MINISTERS ON THE 29TH MARCH 1932¹.

I said that I had to invite the Minister's attention to certain points in the relations of their Government with our tribes, which were objectionable from our point of view. The practices in question were of long standing, but had always been and, so long as they continued, would always be, an obstacle to the secure establishment of those cordial relations which both Governments sincerely desired.

2. On former occasions when this subject had been discussed the Afghan Government's reply had been that these practices had been common in the time of previous Amirs when in receipt of a subsidy from the Government of India, and had therefore been condoned in principle and that, in view of the friendly attitude of King Nadir Shah's Government, they were not in effect harmful to our administration. I wished to make it clear now that whatever might have been the attitude of my Government in the past (and I was naturally unable to discuss the correctness of that attitude) it was the present and future with which we had to deal, and the view of my Government was now definitely that the continuance of these practices constituted a breach of the relations envisaged in the Treaty of 1921, and was in effect harmful to our Administration. On the latter point the views of the Government of India must be accepted as final.

3. I was not instructed to question the good-will of King Nadir Shah's Government, of which my Government had received ample evidence, nor to demand the immediate cessation of the practices under discussion, but simply to make the attitude of my Government clear. Both Ministers had asked me always to speak quite plainly to them, and consequently, if these practices were allowed to continue without any protest being made, the Afghan Government might complain afterwards that they had been left in the dark as regards what was, in fact, an obstacle to the development of closer relations with His Majesty's Government. The removal of this obstacle was an object common to both Governments and we should therefore approach the problem as friends, not as opponents. They had just told me that British and Afghan interests were essentially identical, and, this being so, our differences should not prove insuperable.

4. (a) *The payment of allowances by the Afghan Government to tribes domiciled in Indian territory.*—The payment, I said, of allowances to Pathan tribes, for whatever reason made, implied some sort of claim to sovereignty over the recipients. The Prime Minister had told me that the present Afghan Government made no such claim in regard to our tribes, either for the present or for the future.

Muhammad Hashim agreed emphatically, and said that he would repeat this statement a hundred times if I wished. I said that the payment by the Afghan Government of these allowances, particularly to such tribes as the Afridis and Mahsuds who were entirely domiciled in Indian territory, did in fact imply a claim of this kind, and was regarded by the tribes in that light. It was consequently inconsistent with His Highness' assurance and was moreover a breach of the Treaty of 1921.

Mohammad Hashim observed that his Government had formerly taken over all the obligations of Amanullah's Government as given in the Treaty, but that this Treaty was descended from the Durand agreement. The latter laid down two frontiers, an inner and an outer.

I said that I had prepared my case, and, as I did not think that His Highness had prepared his, did not wish to take him at a disadvantage. Before he went further, I would ask him to read Article 1 of the Agreement of November 12, 1893, which laid down a single line, and Article 2, which gave an undertaking not to interfere beyond that line. (I showed Muhammad

¹ Enclosure to Kabul Memo. N. 44, dated the 1st April 1932 (A. S. XLIV, 97).

Hashim the agreement, which he read.) I would also refer him to Article I of the Treaty of 1921, which we were careful, as Afghanistan apparently was not, to observe.

5. So much for the theory. In practice the Afghan allowance-holders were invariably an unsettling element in our tribal organisation. As the Ministers knew, our tribes to a large extent administered themselves and the existence in any tribe of a small clique whose eyes were constantly turned to Kabul and who could afford to forfeit their share of the allowances paid out by the Government of India was unsettling as such a clique tended to get out of control by the tribal will. In almost all cases Afghan allowance-holders were, or had been, notorious for their hostility to us, *e.g.*, Fazal Din, Ramzan, Musa Khan, Said Almar etc. The payment of such allowances was therefore contrary to our interests and also harmful to the well-being of our tribes. Muhammad Hashim said he would reserve his remarks until I had furnished mine.

6. (b) *The summoning of individual members, as well as jirgas, of these tribes to Afghanistan.*—In the course of a discussion in 1930, I said, the Foreign Minister had undertaken that his Government would not summon jirgas of our tribes to Afghanistan, although if they came they would have to be given maintenance expenses, and a present on leaving, as prescribed by Pathan custom [my despatch No. 63 of September 9, 1930, enclosure 1 (C)]. Faiz Muhammad confirmed the correctness of my statement, and added that there had been no breach of his undertaking, to which I agreed.

7. I went on to point out that the summoning of individuals was also objectionable on the same ground as that of jirgas.

Muhammad Hashim admitted this, but said he could not remember an instance of one of our tribesmen being summoned to Kabul by the present Government. He could not answer for officials in the provinces, who, as I knew, were, in many cases, insubordinate and disloyal.

I said that I could give him instances of individuals having been summoned from Waziristan by Afghan officials, and it was recently reported that Said Almar had been summoned to Jalalabad by the Governor of the Eastern Province.

Muhammad Hashim said that this report was quite untrue. Said Almar was a pest who needed no invitation to come to Afghanistan for money. He was not invited, although, for his own glorification, he no doubt gave out that he had been.

I suggested that on this occasion he had possibly come to call on M. Stark. Muhammad Hashim fired up at this, and said he knew that all kinds of wild stories were going about regarding M. Stark's doings at Jalalabad, although in fact he had been closely watched and unable to do anything at all.

None of the trouble on the Indian side of the frontier, Muhammad Hashim continued, was due to Russian propaganda from Afghanistan; it all came from the Congress and the Red Shirts, from whom it spread into Afghan territory. He strongly objected to the insinuation that he had failed to deal with hostile intrigues in his own country as signally as the Government of India had failed to deal with such activities in theirs.

8. I reminded His Highness that I had not ascribed any of the trouble in the North-West Frontier Province to Bolshevik propaganda, and was glad to hear that he was satisfied as to his success in dealing with such propaganda in Afghanistan.

9. (d) *The grant of civil and military ranks by the Afghan Government to these tribesmen.*—On my mentioning this subject, Muhammad Hashim remarked that I had already discussed it with the King [My despatch No. 63, of September 9, 1930, enclosure 1(A)]. I must remember, he said, what the situation had been in October 1929. On the capture of Kabul, Shah Wali had recovered one thousand gold coins from the Bacha-i-Saqqao, and Nadir Shah had just under £1,000. That was literally all there had been with which to reward our tribesmen who had re-conquered Kabul. It did not go round, so the lashkars had been allowed to loot the Government buildings. If

my Government thought that he was exaggerating the state of affairs at that time, I at any rate had seen the condition of the Government buildings on my arrival at Kabul, and could testify to the truth of what he said. But this loot did not go round either. There was nothing left except these empty titles of rank with which to appease our greedy tribesmen.

10. I said I was not discussing the reasons for what the Afghan Government had done, but only trying to show him how objectionable it was from the Government of India's point of view. The grant by the Afghan Government of ranks of this kind was objectionable on the same grounds as that of allowances, and similarly the recipients of these ranks were almost always persons who had been hostile to our administration.

11. Muhammad Hashim said they were just as hostile to the Afghan Government. Ramzan, Musa Khan, Fazl Din and the rest he looked on as the enemies of Afghanistan. They were nothing but blackmailers, and he wished the Government of India would cut all their heads off, and so save him a lot of trouble in future. The possession of Afghan rank by any of our tribesmen could be taken as the mark of an enemy and blackmailer of the Afghan Government. I had complained of the grant of rank to Ramzan, but had said nothing of the steps taken by the Afghan Government to prevent him giving any trouble to the Government of India on his return to Waziristan. He himself, on learning that Ramzan had visited M. Stark secretly, had sent for him and made him swear to have no communication with the Soviet in future, and to cause no disturbance in his own country. If British political officers would make their own enquiries, and not listen to lying informers, they would find that what he had said was true.

12. I replied that my information as to Ramzan's attitude since his return to his home tended to bear out what His Highness had stated, but, if he would allow me to say so, there would have been no occasion for his efforts, of which the Government of India had already expressed their appreciation, if relations had not been established by the Afghan Government in the first place with Ramzan. The fact remained that for whatever reason such ranks were given, and however sincerely the Afghan Government had tried to keep the recipients of them friendly to us, the whole practice was wrong and unsettling in its effect.

13. (e) *Correspondence between Afghan officials and these tribesmen.*—I said that although in principle there was nothing wrong in conventional acknowledgments being sent by Afghan officials to letters from our tribesmen, yet in practice it was normally tribesmen who were hostile to our administration who began the correspondence and on receiving replies from Afghan officials, however correct in tone these replies might be, misrepresented them as outward and visible signs of approval by the Afghan Government of their own hostile activities. If however letters from high Afghan officials contained anything in the way of a suggestion of authority over our tribes, such letters were of course objectionable in themselves.

14. Muhammad Hashim said he was always receiving letters from our tribesmen, but had hardly ever, so far as he remembered, replied to them as all the writers wanted was money. He asked if I could show him any replies sent by himself.

15. I said I could not, but should be glad to hear whether a "farman" alleged by Fazl Din to have been received from His Highness was genuine. I showed him the copy of the farman, and Muhammad Hashim asked for the original which I explained was not available. He read the "farman" carefully, although with difficulty, since as he rightly remarked it was in bad Persian and badly written. Finally he said it was obviously a forgery, and he was positive that he had never written or signed it. He hoped that I would believe him. I said that of course his statement decided the point once and for all.

16. I then showed him letter (1) signed by Shah Mahmud, the War Minister, pointing out that it was addressed to the Alizai Mahsuds, and that the words "people like yourselves in Afghanistan" suggested a claim to sovereignty over the recipients.

17. The Ministers glanced through the letter together, remarking that they had not seen it before, and knew nothing of it. It looked to them however as if it had been addressed to a party of Alizai Mahsuds in one of the colonies in Afghanistan, or else to some Mahsuds of this section who had come to Kabul. What else could the words "in Afghanistan" mean? Shah Mahmud was not such a fool as to claim that the main body of Mahsuds lived in Afghan limits. I said that if they read the whole letter carefully I thought they would come to the conclusion that this interpretation would not hold good. My own idea was that Shah Mahmud had hurriedly signed a letter written by some clerk in the Kabul War Office, who did not realise that the days of Nasrullah Khan were past.

18. I then showed Muhammad Hashim, Shah Mahmud's letters to Khaisor Khan, and emphasised the objectionable use to which such letters could be put, in view of the part played by Khaisor Khan in the Baddar rising of 1930.

At Muhammad Hashim's request I handed him letters (i) and (iii) so that he could take the War Minister's explanation of them.

19. (f) *The employment by the Afghan Government of Khassadars on the Indian side of the line.*—I asked the Foreign Minister to confirm my record of the definite undertaking given me on this point by himself in 1930 [my despatch No. 63 of September 9, 1930, enclosure 1 (c)], and he did so at once. I went on to say that according to information received by the Government of India from Waziristan a considerable body of such Khassadars had been at the time of report, *i.e.*, September 1931, at their homes on the Indian side of the line for nine months on end.

Muhammad Hashim said he could not say anything as to the correctness of this report, as he had no knowledge of the matter. If it was true, the explanation would probably be that the local Afghan officials concerned, whether civil or military or both, had allowed the men to go to their homes on lower pay, and were pocketing the difference between that and the official rate themselves. It was just the sort of thing Afghan officials did, and he would be glad if the Government of India would deprive these Khassadars of their rifles, and expel them into Afghanistan as this would bring the matter to a head.

20. I said I thought I could hardly make such a recommendation to my Government, just as I was unable to recommend the wholesale massacre of Afghan Major Generals which he had suggested shortly before. Although whenever I raised these tribal questions I was unfortunate enough to exasperate His Highness, our Governments were after all in friendly relations, and the correct course would seem to be for me to write officially to the Foreign Minister giving details of the information received by the Government of India and ask the Afghan Government to put matters right themselves. I would however request a formal assurance from His Highness that the employment of Khassadars on the Indian side of the line was not authorised by the Afghan Government, and was contrary to their wishes.

21. Muhammad Hashim replied excitedly that if I asked him for a certificate that he was not mentally deficient he supposed he could get me one, for what reason could his Government possibly have for throwing away thousands of rupees on people who sat in their homes and did nothing? The Afghan Government, as I knew, had no money to spare for charity of that kind. When I had managed to pacify His Highness, he gave me the assurance for which I had asked, and I told him that I had finished what I had to say.

22. Muhammad Hashim then observed that in spite of my statements regarding my Government's appreciation of the goodwill of King Nadir Shah's Government, and the difficulties with which the latter were faced, the present discussion seemed to show that the actual situation in Afghanistan was not realised either in India or in England. The practices of which I had complained were the direct and inevitable outcome of this situation.

23. To take the question of allowances paid by his Government to the Afridis. The events of 1930, when the Afridis, in spite of our efficient army and air force and our organised system of intelligence, had advanced

up to Peshawar itself, showed what the Afridis could do in Afghanistan. Jalalabad at any rate was at their mercy, and the fall of Jalalabad would raise the whole country.

24. The employment of our tribesmen for the advance on Kabul in 1929 had been a matter of necessity, as King Nadir Shah had told me at the time. The rewarding of these tribesmen by the grant of ranks had been, as he had said already, equally a matter of necessity.

25. The Afghan Government had made considerable progress, but it must be remembered that it was only two and half years since they had recovered Kabul, and apart from the assistance generously given by the Government of India had in that short time had to create everything out of nothing. In these circumstances to regard their payment of blackmail to our tribes, whether in the form of allowances or of ranks, as an obstacle to closer relations between our two Governments seemed to him unfair. It was distasteful to speak in praise of oneself, but he was working all day and half the night, and a great deal of this time was spent in attempts to cope with difficulties which arose from the determination of his Government to discharge their obligations to His Majesty's Government. He was constantly engaged in trying to check propaganda emanating from India which the Government of India had failed to control. It was such propaganda for instance which had recently excited the Mangals and Mohmands.

26. The Afghan Government were still in a very weak position and had to pay blackmail all round. The latest recruit to the ranks of these blackmailers was Mahendra Pratap, who, because he had been refused money and permission to return to Kabul, had now issued a manifesto to the press with copies to every Afghan Mission abroad, denouncing Nadir Shah as a tool of the British. His Majesty's Government could afford to disregard such propaganda, as the loyalty of their representatives was beyond doubt, but what could be said of Afghan representatives? Ghulam Siddiq at Berlin, for instance, was almost openly working against his own Government and in defiance of their wishes had just sent Ishar Singh, a young Ghadr-ite, to Kabul through Russia. Perhaps my Government thought that this plea of weakness was a diplomatic ruse, but if so how would they explain the retention in his appointment of a Minister like Ghulam Siddiq? The Russians were now demanding blackmail in the form of a Commercial Treaty and the Afghan Government were wondering if they could refuse to pay it.

27. After all, Muhammad Hashim went on, the Government of India themselves paid blackmail to their tribes. I said that this idea was very common, but seemed to me mistaken. The more troublesome a blackmailer made himself the more money he got from his victim, while the Government of India, on the contrary, stopped the allowances of any tribe or section which misbehaved itself. The case of the Afridis in 1930 and 1931 was one in point.

Muhammad Hashim asked how the Afridi allowances came to be paid in the first place, and I explained that they originated in the Khyber tolls.

28. His Highness went on to say that he and his Government were honestly doing all they could in the face of great difficulties to maintain peace on the frontier, and prevent the spread of Russian intrigue in Afghanistan. In this they were really serving the Government of India's interests as well as their own, but this identity of interest, which I admitted in words, did not appear to be recognised in practice. He would give an example of what he meant.

29. Muhammad Hashim then produced the letter from Major Betham to Sher Jan Kharot, which was mentioned in my telegram No. 26 of the 30th March, and said that the decision conveyed in this letter, although entirely within the competence of the Government of India, made matters very difficult for himself. Sher Jan and Kamran would not of course announce to the tribe that it had received a pardon, from which only they two had been excepted, but would declare that the purport of the letter was to exclude the whole tribe from India.

If M. Stark heard of this outbreak among the Kharots, he would try to get agents and money to them at once.

30. These discussions, with those reported in my despatch No. 48 of the 31st March (File No. 137-F/31), had now lasted three hours, and Faiz Muhammad, who appeared to be nearing collapse from exhaustion, roused himself for an effort to close them.

31. Major Betham's letter, he slyly remarked, illustrated my arguments regarding the practical disadvantages of direct communication between the officials of one Government and the tribesmen of another. He would, however, to put the whole matter in a nutshell, admit, with His Highness' permission, that the practices of his Government of which I had complained were incorrect in principle, and harmful in their effect. (Muhammad Hashim nodded assent.) When the Afghan Government were in a strong enough position, through improvement of their communications and organisation of their army, to disregard the threat to themselves from our tribes and their own (since hostile propaganda spread from ours to theirs), they would discontinue their present relations with our tribes. If my Government demanded immediate cessation of these relations, they would agree, provided that my Government would give them a formal guarantee against all the consequences of such cessation. In the same way they would refuse to pay the blackmail demanded by the Soviet in the form of a Commercial Treaty, etc., if His Majesty's Government would formally guarantee to protect them from all consequences of such a refusal. It was very easy for my Government to point complacently to their own observance of Treaty obligations. They had no temptation not to observe it. The Afghan Government however were still engaged in a struggle for self-preservation, and could not be expected to commit suicide in order to carry out their Treaty obligations. These were the facts, none the less real because they were unpleasant for both our Governments to face.

32. I said that these discussions, trying as they had evidently been to the Ministers, had I thought been useful. The Afghan Government, I understood, admitted that the practices we had discussed were wrong in principle and harmful to our administration, and they undertook to discontinue them as soon as they were in a position to do so. Whatever view His Majesty's Government might take of this attitude it was at any rate clear, and I would duly report it to them.

CHAPTER XII.

CO-OPERATION IN FRONTIER POLICY.

1057. **Reasons for Co-operation.**—It is significant of the changed relations on the Frontier that the heading ‘ Afghan Intrigues with British Tribes ’ in the Précis of 1927, has had to be moderated to ‘ Afghan Dealings with British Tribes ’ in the present volume, and that in addition a new heading, ‘ Co-operation ’, is required before the subject matter can be brought up to date.

The consideration paid by each Government to the affairs of the other in matters of frontier policy, is one of the greatest of the developments in relations between India and Afghanistan that has come about since King Nadir Shah’s accession.

The underlying reasons for this consideration are (i) the importance to India of a stabilised and friendly Afghan Government on her Frontier, and (ii) the realisation by Afghanistan, after many years of suspicion and doubt, that British professions of friendliness are genuine and are based on self-interest. Once this realisation had sunk in, especially with a King and Prime Minister already pre-disposed to prefer Great Britain to Russia, the policy of obstruction and wilful intrigue quickly gave way first to non-interference and later to active co-operation.

1058. **Afghan statements of Policy.**—On the expiry of his appointment as British Minister, Kabul, Sir Richard Maconachie presented to the Secretary of State for Foreign Affairs a statement containing a summary of Afghan Foreign Policy based on conversations held with Afghan Minister before leaving Kabul. The relevant portion of this statement, which is to be read with the caution that ‘ it contains mostly the opinions expressed by Afghan Ministers ’, was as follows :—

“ The most fruitful source of misunderstanding between His Majesty’s Government and Afghanistan has lain in the tribal territory on the north-west frontier of India. Previous Afghan Governments have all been active in maintaining the independence of these tribes as an obstacle to any aggression from the direction of India upon Afghanistan. The present Afghan Government, realising that they have no reason to fear aggression by His Majesty’s Government, have entirely abandoned the “ policy of intrigue ” and would in fact—although they could never afford to say so openly—be glad to see the frontier tribes of India more firmly controlled by the Government of India, so that all danger of attack by these tribes upon Afghanistan—such as occurred as recently as 1933—might be finally removed.

But the measures hitherto adopted by the Government of India of extending their control by force, as shown by the constant recurrence of land and air operations in tribal territory, have placed the Afghan Government in a position of great difficulty and embarrassment. The problem is not solved by calling such a policy one of “ peaceful penetration ”: for if the measures taken at the outset by the Government of India have been in some cases peaceful, they have almost always been, as anyone acquainted with tribal psychology would know, such as must inevitably provoke hostilities. If the Government of India would only play their cards so that a real desire for civilization and peaceful progress would be produced in the tribal belt, not only would their control be extended much more rapidly, cheaply, and permanently than by the use of force, but also the Afghan Government would be freed of their present embarrassment in rejecting appeals for assistance from their co-religionists, who can plausibly represent themselves as fighting to maintain the independence of their country. It is the rejection of such appeals which brings

the Afghan Government into contempt among their own subjects, and plays directly into the hands of the pro-Amanullah and Bolshevik party. It is surely not reasonable that His Majesty's Government, who have given proof of their desire for the welfare of Afghanistan, should by their present policy in the tribal belt on the north-west frontier of India provide the enemies of the Afghan Government with their most effective means of propaganda, and so endanger the stability of that Government. The Prime Minister pleaded most earnestly for the adoption of conciliatory methods in dealing with the Pathan tribesmen of the North-West Frontier, since such methods would, he was convinced, be found in practice to be in the best interest both of His Majesty's Government and of the Afghan Government."¹

1059. A statement in almost the same words was made by the Afghan Foreign Minister, S. Faiz Mohammad, on the occasion of his interview with His Majesty's Secretary of State for Foreign Affairs in London on 5th February 1936.²

1060. It is clear from this that the years since Nadir Shah's accession have seen a very marked change in the Afghan attitude towards British Frontier Policy. It is true that the Afghan Government have not yet come to view with approval the present forward policy, or rather the form in which it has developed of recent years, but their disapproval is caused more by dislike of the embarrassment which it is apt to cause to themselves than by any fear that it is directed against Afghanistan. There remain here and there on both sides of the Frontier officers who do not follow the instructions of their Governments as they should, but it is the policy of each central Government to be as helpful as possible and to cause as little embarrassment as possible to the other.³

1061. Consideration by Indian Government of Possible Re-actions in Afghanistan.—The following are recent examples of the extent to which considerations of possible embarrassments to Afghanistan have influenced British Policy :—

1. In the cold weather of 1933-34 when the question of action to be taken against the Madda Khel tribe in North Waziristan Agency had to be considered, it was laid down that 'the paramount consideration at present must be to maintain the stability of the Afghan Government and avoid giving opportunity for further propaganda against them.'⁴ Military action against the Madda Khel was deferred for this reason, and was again similarly deferred a year later⁵.

2. On 30th April 1934 the Secretary of State for India laid down :—

"That in pursuing our policy of peaceful penetration of tribal areas we should pay special regard to Afghan situation and be on our guard against inadvertently giving enemies of Afghan Government fresh material for dangerous propaganda"⁶.

3. On 4th May 1934 the Government of India expanded these instructions in a letter addressed to the two Frontier Administrations. After drawing attention to their policy of preventing or forestalling movements in tribal areas likely to be inimical to the interests of either Government the Government of India continued as follows :—

"There are two points of view from which all frontier questions must be examined namely (a) the relations of the Government of India with the frontier tribes and (b) the relations of His Majesty's Government and of the Government of India with Afghanistan. As regards (a) the policy of the Government of India

¹ Sub Enclosure II to Ser. No. 82 in F. No. 575-F./34-Secret.

² Despatch from F. O., London to Min., Kabul, No. 16 (N.-852/233/97), dated 5th February 1936 (A. S. LIX, 201).

³ A. S. LII, 159, 197, 199, 206, 281, and A. S. LIII, 102, 103.

⁴ Telegram from I. O., London, No. 498, dated the 22nd February 1934 (A. S. LII, 197).

⁵ A. S. LV, 208, 277.

⁶ Telegram from I. O., London, No. 1120, dated the 30th April 1934 (A. S. LIII, 90).

is and has been for the last 12 years one of a gradual extension of its influence by peaceful methods in the tribal areas. As regards (b), the objective is the maintenance of a stable and friendly Government in Afghanistan, which not only facilitates the solution of our difficulties in tribal areas but also provides the best possible insurance against Soviet penetration into India. These two points of view may at first sight appear to be unconnected, but closer examination suggests that they are most intimately related. The tranquillity of the frontier and the opportunities thereby afforded for the extension of our influence over the tribes depend very largely on the stability of the Afghan Government and on the freedom of that country from internal disorder. Equally a stable and friendly Afghan Government depends largely on our power to control the tribes on the Indian side of the Durand Line in such a manner that they are neither able to take advantage of disorder in Afghanistan nor are impelled by punitive action on our part to appeal to the Afghan Government for support. As His Majesty's Minister has frequently pointed out, one of the sharpest weapons used by the anti-Nadir propagandist is the cry that Nadir Shah's regime unlike Amanullah's gives no help or support to the tribesmen whom the Government of India oppress. Disturbances and punitive operations in our Frontier areas, however well deserved that punishment may be, add impetus to this propaganda and it is therefore essential for all Frontier officers before they take action, which may result in disturbances, to consider their local problems from both points of view.

While it is always desirable that Frontier officers should maintain this wider outlook it is peculiarly necessary that they should do so at the present time. The Afghan Government is at the moment as favourable to His Majesty's Government and the Government of India as it has ever been, but it lacks stability and has been severely affected by the events of the past 12 months. Were it to fall, anarchy would follow, and a return to ordered Government would almost certainly be accompanied by an increase in Soviet influence and penetration, and a corresponding decrease in British influence and in pro-British feeling. The stability of the present Afghan Government is therefore of peculiar importance to His Majesty's Government and to the Government of India, who are correspondingly anxious that no action on their part or on that of their officers should do anything to endanger it."¹

4. In November 1934 a proposed operation close to the border in North Waziristan was abandoned on account of important international considerations involved.²

5. In August and September 1935 the probable re-actions in Afghanistan were considered by the Government of India before deciding on the advance over the Nahakki Pass in the operations against the Mohmands. On this occasion the Government of India recorded the following principle of policy :—

“We realise that forward movement to Nahakki area may cause embarrassment to Afghan regime, but this will be constant factor, and whatever the complexion of Afghan Government we cannot accept the position that such embarrassment, even amounting to threat to stability of Kabul Government, must always be final argument prohibiting extension of control.”³

The Secretary of State, while acknowledging that the apprehensions of the Afghan Government could not be allowed to be ‘deciding factor in permanent execution of our frontier policy’ added a caution that our interest in

¹ Letter to (1) N. W. F. P. Government (2) A. G. G. and C. C., Baluchistan, No. F. 730-F./33, dated the 4th May 1934 (A. S. LIII, S. No. 102).

² Telegram to N. W. F. P., No. 2318, dated the 25th November 1934 (A. S. LV, 48).

³ Telegram to I. O., London, No. 2349, dated the 4th September 1935 (A. S. LVII, 285).

stable Afghan Government is, however, a factor that must always be given full weight in deciding on time and method.¹

The arguments in favour of the proposed forward movement were accepted by the Secretary of State and the move was made.

6. In August 1935 the Government of India made a similar statement of policy in support of their desire to take action with Scouts, supported by troops, in the Keitu area of North Waziristan with a view to re-establishing the position in North Waziristan generally. On this occasion they wrote :—

“ There is we consider definite point at which susceptibility to reaction on Afghan Government of measures taken to control our tribes (including nomads who visit our territory every winter) must give way to necessity for maintaining order on Indian side of Durand Line. We are reinforced in this view by impression, shared by Norwef and Minister, that Afghan Government's control in Southern Province has considerably strengthened during last two years.”

The proposed action was not taken, the balance of arguments, including the possibility of reactions in Afghanistan, being found in the end to be against it.²

1062. Direct action by Indian Government in Tribal territory for benefit of Afghan Government.—The following are examples of action taken by the Government of India in tribal territory for the benefit, or at the request, of the Afghan Government.

1. Threat of operations in Waziristan in connection with the Wazir-Mahsud incursion into Khost.³

2. Bombing operations and contemplated military operations in Bajaur in connection with the Kotkai pretender.⁴

3. Barampta of tribesmen in Waziristan against the possibility of a second Wazir-Mahsud incursion into Khost.⁵

4. Action against Madda Khel in spring 1934, detention of hostages and collection of security rifles.⁶

1063. Afghan Government kept informed of British intentions in Tribal territory.—On the following recent occasions the Afghan Government have been kept informed in advance of British intentions in Tribal territory.

1. Discussion of Government of India's proposals for road-building in Tirah with the consent of the tribes and not by force.⁷

2. Discussion of Government of India's policy towards the Madda Khel in February 1935, and reasons for not taking offensive action against them.⁸

3. Throughout the Mohmand operations 1935 the Afghan Government were kept fully informed both of British intentions and of the progress of events.⁹

4. When the Government of India had to take action against ‘ Brigadier ’ Abdulla Jan in the Wana area, the Afghan Government were given full information of what was intended.¹⁰ On this occasion the information given was supplemented by an invitation to the Afghan Government to co-operate in certain specified ways. They co-operated to a very full extent, though not quite to the extent for which the Government of India had hoped.

¹ Telegram from I. O., London, No. 2845, dated the 6th September 1935 (A. S. LVII, 293).

² Telegram to I. O., London, No. 2785, dated the 7th October 1935 (A. S. LVIII, 206).

³ Para. 916.

⁴ Para. 917.

⁵ Para. 916.

⁶ Cf. Telegram to I. O., London, No. 112-C, dated the 1st August 1934 (A. S. LIV, 95) and connected file.

⁷ Telegram to Min., Kabul, No. 258-K, dated the 26th October 1934 (A. S. LIV, 291).

⁸ Memo. to C. d'A., Kabul, No. F. 495-F/34, dated the 5th March 1935 (A. S. I.V, 277).

⁹ Cf. A. S. LVII, 294 and A. S. LVIII, 19.

¹⁰ Despatch from Min., Kabul, to F. O., London, No. 109, dated the 7th August 1936 (A. S. LX, 271).

5. In the spring of 1935 the British Chargé d'Affaires gave the Afghan Government an account of the situation in the Agra area (Malakand Agency) and of British intentions in the matter of operations¹.

[The information given on these occasions was always far beyond anything required by Article XI of the Treaty.]

1064. Discouragement of British tribesmen by Afghan Government.—The following are examples of discouragement by the Afghan Government of British tribesmen seeking to enlist their sympathy or support.

1. Red-Shirt and Afridi deputations were consistently sent away unsatisfied all through 1930.

2. Afridi deputations from the Sarishta party wishing to enlist Afghan support or sympathy against the building of a road in Tirah have in many cases been prevented from reaching Afghan high officials, and in others sent away with no comfort.²

3. Mohmand deputations seeking Afghan support in 1936 received no encouragement.

4. The Para Chamkannis of the Kurram Valley, some of whom receive allowances from the Afghan Government, received no encouragement in an appeal for support against the British Government in the cold weather of 1935-36.³

1065. Direct action taken by Afghan Government.—The following are examples of the Afghan Government taking active steps which they believed would be of assistance to British Frontier Policy :—

1. In February 1934 the Afghan Government persuaded one of their Maliks, an Ahmadzai Ghilzai, to go to the British authorities on safe conduct for the settlement of a case in which his tribe had become involved in the Tochi Agency.

2. In September 1935 the Afghan Foreign Minister fetched Badshah Gul I, son of the Haji of Turangzai, to Kabul, and in the exuberance of the moment gave a promise that he would not be allowed to return to the border.⁴ This promise the Afghan Government were in the end unable to fulfil.⁵

3. In September 1936 the Afghan Government arranged for the removal to Kabul, of Abdulla Jan, Zilli Khel, who was defying the British Government on the Indian side of the Durand Line near Wana.⁶

4. The general attitude of the Afghan Government during the Mohmand operations of 1935 was described by the Minister as follows :—

“In circumstances of the greatest difficulty and almost of danger, the Central Government never lost sight of their obligations to His Majesty's Government and carried them out to the very best of their ability.”⁷

1066. The Gentlemen's Agreement.—The “Gentlemen's Agreement” about the Bohai Dag, whereby the Afghan Government agreed that the Government of India might, in times of emergency, take certain forms of action direct against Mohmand tribesmen living on the Afghan side of the presumptive border, was a striking example of Afghan willingness to co-operate for the general maintenance of peace and order on the Frontier.⁸

[**Caution.**—This chapter is written while the Government of India have left somewhat open, their decision on the question raised in North-West Frontier Province's Memorandum No. 3133-P. C., dated the 29th August 1936⁹

¹ Telegram to C. d'A., Kabul, No. 36, dated the 7th March 1935 (A. S. LV, 286).

² Telegram from C. d'A., Kabul, No. 707, dated the 17th November 1935 (LVIII, 298).

³ Confdl. Memo. from Min., Kabul, No. 827, dated the 25th March 1936 (A. S. LIX, 263.)

⁴ Telegram from Min., Kabul, No. 105, dated the 24th September 1935 (A. S. LVIII, 118).

⁵ Para. 1172.

⁶ Para. 1178.

⁷ Despatch from Min., Kabul, to F. O., London, No. 119, dated the 23rd October 1935 (A. S. LVIII, 270).

⁸ Para. 1005.

⁹ A. S. LXI, 1.

whether or not Afghan Frontier Policy is responsible for a recent stiffening of resistance to British penetration in certain areas of Tribal territory. In their letter No. F. 684-F./35 of 18th November 1936, they have stated that the evidence is not at present sufficient to prove any deliberate wish or attempt on the part of the Afghan Government to foil British Frontier Policy, and that the exhaustive enquiries which would be needed to prove the point are not at present necessary].¹

¹ Para. 1053.

CHAPTER XIII.

THE NORTHERN FRONTIER OF AFGHANISTAN AND THE
BOLSHEVIK MENACE.

1067. **Preliminary.**—No attempt is made here to summarise Chapter XXII of Sir Richard Maconachie's Précis. The paragraphs which follow are intended to deal only with recent developments and with any modifications which may have appeared in the situation.

1068. **The Problem.**—A statement of the problem presented by fears of Russian aggression to which reference is frequently made, is the following, occurring in paragraph 215 of the British Legation's Annual Report¹ for 1933 :—

“ In accordance with a convenient fashion of some years ago, the problems facing a British representative in this country might be classed in two categories, the ‘ major ’, connected with the maintenance of Afghanistan as an efficient buffer between Russia and India, and the ‘ minor ’, arising from the politics of the Indian frontier. The ‘ major ’ problem, for the time being, resolves itself in practice into co-operating with the Afghan Government in resisting two main forms of Soviet penetration, the political, which is carried on through more or less ‘ secret ’ agents, and the economic, which is apparently to be achieved on the Persian model by control of the foreign trade of the country. Fortunately, the Afghan Government are fully alive to the dangers threatening them in both these directions.”²

1069. The alternative plans by which it might be possible for the Soviet to achieve the overthrow of British rule in India are discussed in paragraph 399 of the Afghan Précis, 1927. The possibilities which British policy has had to consider during the last few years are

(1) A military invasion of Afghanistan.

(2) Economic penetration, of which the object, as described by the Afghan Prime Minister, is to achieve control of the whole of Afghan foreign trade, and through such control to effect by an easy development either political predominance in the present kingdom or else the overthrow of that kingdom, to be followed by the institution of an Afghan republic which could be absorbed into the Soviet Union.³

(3) Political Intrigue directed to the same end.

(4) Diplomatic Negotiation.

1070. **Anglo-Russian Negotiations.**—In the old days Great Britain used to attempt to guarantee Afghanistan's Northern Frontier by bilateral treaties with Russia, in most of which Afghanistan was not even consulted.⁴ Such an attitude would nowadays be incompatible with the recognised independence of Afghanistan. This is clear from the discussions preceding the Anglo-Afghan Treaty of 1921, and from the absence of any guarantee in the Treaty itself. The impossibility of giving any such Treaty guarantee was noticed again when the resumption of diplomatic relations after the Rebellion was under consideration. The Secretary of State for India used the following words :—

“ Question of our guaranteeing integrity of Northern Frontier does not accord with general practice of His Majesty's Government. Of course now this frontier is matter between Soviet and Afghan Governments. There can be no question now of going back to conditions before Afghanistan's independence in foreign affairs had been acknowledged.”⁵

¹ Enclosure to Kabul Despatch, No. 30, dated the 9th March 1934 (A. S. LII, 276).

² Annual Report 1933 (A. S. LII, 276).

³ Sub-Enclosure II to Endorsement from Pol. Secy., India Office, No. P. Z. 4257/35, dated the 21st June 1935, S. No. 82, File No. 575, F./34.

⁴ Afghan Précis 1927, Para. 391.

⁵ Telegram from I. O., London, No. 207, dated the 18th January 1930 (A. S. XXX, 128).

1071. Fortunately for Great Britain's interest in Afghanistan's Northern Frontier, Afghanistan is just as interested in avoiding the Russian Menace for herself as His Majesty's Government ever were on her behalf. Willing and anxious co-operation on Afghanistan's part has removed the necessity for negotiation over her head.

1072. Anglo-Soviet direct negotiations on the subject have been confined to discussions of the treaties and agreements between the two Governments which have for one reason or another become obsolete. In the British draft the Agreements relating to the Soviet-Afghan Frontier were included among these. The reason for their inclusion which it was proposed to explain to Sardar Shah Wali Khan, while he was Afghan Minister in London, was 'that these treaties were concluded at a time when His Majesty's Government had some responsibility for the external relations of Afghanistan', and the object of the prospective agreement 'merely to record the fact that at the present time His Majesty's Government and the Soviet Government had no obligations as between themselves with regard to the northern frontier of Afghanistan and kindred matters'. The frontier fixed by these old agreements remained unaffected by their denunciation, except in so far as it had been, or might be, modified by mutual agreement between Afghanistan and the U. S. S. R., but all questions relating to it were now the exclusive concern of these two countries.¹

The Soviet representatives did not see any point in mentioning these particular agreements and the proposed explanation did not in the end have to be made. The views of His Majesty's Government are, however, as described above and were not prejudiced by the omission.²

1073. **Russo-Afghan Agreements.**—The Russo-Afghan Treaty of 1921, which is still in force, is reproduced in paragraph 718 of the Afghan Précis of 1927.

Afghanistan concluded a "Neutrality Pact" with Russia on 24th June 1931³ (renewed for ten years on 29th March 1936⁴) which contained a stipulation for the prevention by either party in its own territory of such activities 'from all sources' as might cause political or military injury to the other party. The Afghan Prime Minister does not consider that his country derives any real protection whatever from this agreement.⁵ In 1933 the Eight Power Non-Aggression Pact was signed by Russia, Afghanistan, and six other neighbours of Russia. On the strength of opinions expressed by His Majesty's Government the Afghan Government have also entertained some hopes of protection from their common membership with Russia of the League of Nations. They have felt less confidence in this direction since the Italo-Abyssinian War of 1936.

1074. **Anglo-Afghan Co-operation.**—Since the Treaty of 1921, after which India no longer claimed any position of guardianship over Afghanistan, His Majesty's Government and the Government of India are not bound by any considerations save those of self-interest to support Afghanistan against Russian aggression. Afghanistan has, however, claimed a common interest with India against Russian aggression and has made specific requests for British help in certain contingencies. These include requests for an assurance of military support in case of need and requests for various forms of economic help. Afghanistan has also made suggestions on her own initiative, and shown unexpected consideration for British interests, when confronted with Russian demands which she has anticipated difficulty in refusing.

1075. **Requests for assurance of Military Support.**—On 22nd April 1931 the Afghan Foreign Minister explicitly asked Sir Richard Maconachie what would be the attitude of His Majesty's Government and the Government of India in the event of Russian aggression on Afghanistan.⁶ The

¹ Enclosure to F. O., London, Memo. N. 1199/28/38, dated the 20th March 1930 (A. S. XXXI, 100).

² Enclosure 3 to letter No. P. 5512, dated the 21st August 1930, from J. C. Walton, I. O., London, to Howell, Esq., C.S.I., C.I.E. (A. S. XXXV, 81).

³ Para. 920.

⁴ Para. 975.

⁵ Despatch from Min., Kabul, to F. O., London, No. 104, dated the 6th August 1931 (A. S. XLI, 141).

⁶ Despatch from Min., Kabul, to F. O., London, No. 50, dated 24th April 1931 (A. S. XXXIX, 222).

policy of the Afghan Government, he said, was actuated by a sincere desire to maintain friendly relations with all foreign powers, especially with Great Britain and Russia; to this end they had done all in their power to conciliate the Russian Government, but although they had so far avoided any actual rupture, the attitude of the Soviet authorities was not such as to give them any confidence for the future; neither Great Britain nor Afghanistan could afford to shut their eyes to the Bolshevik menace, and it was essential for Afghanistan to know where she would stand if, in spite of all her efforts to keep the peace with Russia, the latter decided that the time had come to attack her; in the event of such unprovoked aggression, could Afghanistan count on any kind of support from His Majesty's Government¹.

Sir Richard Maconachie was instructed to reply that, while both their own interests and their international obligations would make it impossible for His Majesty's Government to regard with indifference unprovoked aggression by a Foreign Power against a friendly Afghanistan, yet the exact steps to be taken in that event must depend on the circumstances of the moment. If, as was likely, this non-committal reply, coupled with references to the Kellogg Pact and the League of Nations, did not satisfy the Foreign Minister he was to be told further that it was contrary to the policy of His Majesty's Government to enter into military alliances.

A reply on these lines was communicated to the Foreign Minister on 30th July 1931.² It was, he thought, all that his Government could reasonably expect, though not all that they could desire. The references to the Covenant of the League of Nations proved of considerable interest to him, and he formed the opinion that Afghanistan stood to gain much by joining the League. (This they eventually did in September 1934.)

In September 1931 King Nadir Shah expressed to His Majesty's Minister a desire for British expert military advice as regards the defence of his northern frontier and Herat.³ The British Government had already decided that they must discourage any suggestion for military conversations of the nature which such advice would involve,⁴ for the reason that such conversations might too easily be taken to imply some form of military commitment. On realising that the King was likely to continue to press the matter, the Secretary of State invited a further expression of opinion from the Minister. The Minister's opinion was that conversations involving inspection of the northern frontier would be highly inadvisable on political grounds, while discussions in general terms would be of little or no value, but that on the other hand the disadvantages of closing the door for all time on suggestions for an exchange of views were great.⁵ He accordingly recommended

- (i) that if the Afghan Government continued to press for discussions of a general kind, they should be told that such discussions might be held unobtrusively on some suitable occasion such as a visit by Afghan staff officers to India for attendance at manoeuvres; if discussions involving inspection of the Frontier were seriously proposed, the obvious objections to the proposal might be stressed and Afghan Government asked to agree to defer its consideration until a more suitable opportunity.
- (ii) That before any proposal for conversations was accepted, the Afghan Government should be informed in writing that in no case would such discussions involve either party in military commitment.
- (iii) That in the meanwhile discussion in matters of detail with the Military Attaché and informal liaison with the General Staff, India as the outcome of visits to India by Afghan military officers should not be discouraged.

¹ Telegram from F. O., London, to Min., Kabul, No. 80, dated 24th July 1931 (A. S. XLI, 76).

² Despatch from Min., Kabul, to F. O., London, No. 104, dated 6th August 1931 (A. S. XLI, 141).

³ Despatch from Min., Kabul, to F. O., London, No. 121, dated 19th September 1931 (A. S. XLI, 298).

⁴ Letter from I. O., London, No. P. Z-6515/31, dated 19th September 1931 (A. S. XLII, 228).

⁵ (A. S. XLIII, 170).

The Government of India did not even approve of conversations to this limited extent¹.

In March 1932 the Afghan Prime and Foreign Ministers returned to the charge in a long conversation² with His Majesty's Minister. In the course of this, after touching on all aspects of Russo-Afghan relations, they made an earnest request for information on the following questions :—

- (1) What was the political situation in Russia and in particular were the Soviet in a position to attack Afghanistan ?
- (2) If the Soviet attacked Afghanistan what would be the attitude of His Majesty's Government in the United Kingdom and the Government of India or the League of Nations ?

His Majesty's Government in the United Kingdom having consulted the Government³ of India, sent instructions⁴ to Sir Richard Maconachie, of which the gist was as follows⁵ :—

“As regards (1) the information of His Majesty's Government is all to the effect that the Soviet Government are at present anxious to avoid any possibility of becoming involved in a serious dispute with any foreign country. It is indeed the considered opinion of His Majesty's Government that there is no immediate danger of the Soviet attacking Afghanistan or applying forcible pressure in order to obtain their demands.

As regards (2) the reply must be taken as holding good only so long as conditions remain materially the same as at present. Subject to this general caveat, the Afghan Government may be assured that, if the relations between them and the Soviet should become so strained that the integrity of Afghanistan appeared to be seriously menaced, a request from the Afghan Government for diplomatic assistance would receive careful and sympathetic consideration. And if the Soviet attacked Afghanistan, this would be regarded by His Majesty's Government in the United Kingdom and the Government of India as an attack on British and Indian interests and would force them to take the steps normally taken by the Government of a State when its interests are seriously threatened. The immediate step to be taken would clearly be diplomatic intervention, which might be followed, if necessary, by pressure in the sphere of economic relations.

His Majesty's Minister is also being instructed to make it clear to the Afghan Government that their position would be strengthened, at least morally if they were to join the League of Nations, though they must form their own conclusions on the ability of the League to render them effective assistance.

It is recognised, however, that it is improbable that the Afghan Government will be satisfied by a statement on the above lines and, if they should press for a more specific assurance, His Majesty's Minister is being given discretion to convey to them an assurance to the effect that, in the event of a serious unprovoked invasion of Afghan territory, His Majesty's Government in the United Kingdom would be prepared, if their previous diplomatic intervention had failed, to break off diplomatic and official commercial relations with the Soviet Government. His Majesty's Minister is also being instructed that, in the event of it becoming necessary to give the Afghan Government such an assurance, it should be made clear that

¹ Telegram to I. O., London, No. 944, dated the 11th April 1932 (A. S. XLIV, 86).

² Despatch from Min., Kabul, to F. O., London, No. 48, dated the 31st March 1932 (A. S. XLIV, 81).

³ Telegram to I. O., London, No. 1993, dated the 10th September 1932 (A. S. XLV, 212).

⁴ Despatch from F. O., London, to Min., Kabul, No. 82, dated the 17th October 1932 (A. S. XLVI, 168).

⁵ Enclosure to S. No. 229, A. S. XLVI.

this is the furthest length to which His Majesty's Government in the United Kingdom are prepared to go in defining their attitude in advance".

His Majesty's Minister conveyed this reply to the Prime and Foreign Ministers on 1st December 1932.

1076. It is clear that His Majesty's Government and the Government of India have not committed themselves even in their own minds to active military support in such an emergency. Nor, on the other hand, has the possibility been ruled out, as is shown by the anxiety of His Majesty's Government that the standard infantry arm of the Afghan army should be of the same bore as their own.¹

No reply was given to a hint by the Afghan Government in 1936 that they would like a more definite assurance of military help.²

1077. Russia has not in fact shown any clear intention of military aggression against Afghanistan. The Soviet authorities seem to have contemplated the possibility of doing something during the rebellion, but did not in fact take any open steps to interfere. If they did anything, it was to support Ghulam Nabi in the North, though their denial of this was accepted by Bacha-i-Saqqao's Government and published in a Kabul newspaper.³

DIPLOMATIC NEGOTIATION.

1078. **Russian Achievements and Failures.**—Russian influence in Afghanistan received a setback with the downfall of King Amanullah and his replacement by King Nadir Shah.⁴ The latter, and his brother Mohd. Hashim Khan, who has continued his policy, both had a strong dislike for Russia.⁵ Certain incidents which occurred near the beginning of King Nadir Shah's reign made things even worse for the Soviet.⁶ As a result of this unfavourable atmosphere, Russian diplomatic negotiations have met with little success. In particular the Soviet authorities have not obtained either a Commercial Treaty or a formal concession for the continuance of their Air Service, for both of which they have continuously tried.⁷ The nearest approach to a Commercial Treaty is the Trade Agreement of 1936 between the Afghan-Soov-Toorak, a Russian Company, and the Ashami Company of Afghanistan.⁸ Although this is nominally only an agreement between two companies, both are in fact state-controlled. The Soviet have continued their irregular diplomatic air service to Kabul, for which they made an agreement with King Amanullah's Government, but its continuance is at present only provisional.⁹ It is improbable that they will ever be allowed even if they are permitted to convert it into a commercial service to develop it to the extent to which they wish, and the political value of the development which they are likely to be allowed is somewhat reduced by Afghanistan's invitation to His Majesty's Government to develop a similar service between India and Kabul.¹⁰

The Neutrality Pact signed on 24th June 1931 and renewed five years later, and the Locust Agreement are of little real value. The excuse of locusts served to secure the entrance of a Russian party of "experts" into Afghanistan in 1932-33.¹¹ Their attitude was viewed with grave suspicion by the Afghan Government, which now reports firmly that there are no locusts remaining in Afghanistan.¹²

¹ Telegram from F. O., London, to Min., Kabul, No. 45, dated the 23rd May 1934 (A. S. LIII, 176).

² Despatch from Min., Kabul, to F. O., London, No. 107, dated 1st August 1936 (A. S. LX, 262).

³ Para. 829.

⁴ Para. 848.

⁵ Para. 845.

⁶ Para. 919.

⁷ Para. 1227.

⁸ Para. 1317.

⁹ Para. 1227.

¹⁰ *Ibidem*.

¹¹ S. No. (1) File No. 254-F/34, Para. 200.

¹² Despatch from Min., Kabul, to F. O., London, No. 16, dated the 31st January 1936 (A. S. LIX, 146)

1079. **Commercial Penetration.**—In the Annual Report for 1934 His Majesty's Minister reported as follows :—

“ According to information from an official source, the exchange of diplomatic representatives between Japan and Afghanistan had an immediate and wholesome effect upon the Soviet Embassy, whose previous tactics of sabre-rattling and bluster are now regarded by Moscow as having thrown Afghanistan into the arms of Japan, and have accordingly been abandoned for an attitude of meek acquiescence in diplomatic rebuffs. These rebuffs are stated to include, in addition to the rejection of a commercial treaty, refusal of an extension of the existing air service to Herat and Mazar-i-Sharif, and of a proposal that cattle should be exported to Russia ; as well as a formal intimation that the Russian specialists now engaged in the destruction of locusts in northern Afghanistan must be withdrawn.”¹

Since that time the efforts of the Soviet Embassy have been devoted mainly to the expansion of trade between Russia and Afghanistan. The considerable success which they have achieved in this direction is described in Chapter XXII of this Volume, Trade Questions, and in the periodical Economic Reports prepared by the British Legation.

1080. **Requests for aid against Russian Commercial Penetration.**—Basing their request on the common danger from Russia, the Afghan Government asked in 1935 for some permanent form of economic assistance which should enable them to stand on their own feet once and for all. They particularly wanted “ Free Transit ” and the creation of export credits, against which they could buy machinery for the establishment of their own industries.² The concession of “ Free Transit ” has been granted to them out of consideration of the great importance to India of Afghanistan ‘ as a defence against the major danger involved by the closer approach of the Soviet Frontier to the Indian Frontier ’.³ Export credit facilities have not been granted, the Afghan Government having found Germany more accommodating in this respect.⁴ The general question of improving trade between Afghanistan and Great Britain and between Afghanistan and India is however, receiving the sympathetic consideration of all three parties.⁵

Examples.—

1. The Government of India has removed the export duty previously charged on “ Persian lamb ”, which forms a very important part of Afghanistan's foreign trade.⁶ The Home Government has also assisted in negotiations between an Afghan representative of the trade and the Hudson's Bay Company, London. As a result it is hoped that a great deal of the trade will go to London.

2. The Government of India have appointed an official Trade Agent to Kabul.⁷

3. The question of offering concession rates on the railway on certain classes of trade goods going to Afghanistan has been considered⁸, and concession rates on petrol have been offered.

4. The Afghan Government has continued to buy large quantities of petrol from India although it could obtain the whole of its supplies at a cheaper rate from Russia, from whence it already obtains a large proportion.⁹

¹ Annual Report 1934, para. 215 (A. S. LV, S. No. 260.).

² Para. 1284.

³ Order in Council, dated the 20th March 1935 (N. P. 24 of file 575-F./34).

⁴ Para. 1290.

⁵ See Chapter XXIII.

⁶ Nind Report, Para. 15.

⁷ Para. 1301.

⁸ Memo. to Min., Kabul, No. 3638-F/33, dated the 23rd September 1933 (A. S. L, 254).

⁹ Annual Report for 1935, Para. 32 (A. S. LIX, 226).

1081. Political Intrigues.—The extent to which the movements of Russians about the country are intended as an opportunity for political intrigue, is open to argument. One certain thing is that the present Afghan Government neglects no precaution to prevent their being used for this purpose.¹ It seems likely, too, that the encouragement given to British officers to tour is intended as a warning to the Russians of the obvious reply to tours by their officers in the South.

1082. There are at present a Russian Consulate General and two Russian Consulates in Afghanistan, all in the North. The Government of India is always inclined to regard these consulates as centres of political intrigue, and is strongly opposed to the establishment of any in the South.² A sentence in a letter attached to the Anglo-Afghan Treaty of 1921 runs as follows :—

(The Afghan) “ Government will not give the opportunity of establishing a Consul-General or Consul or representatives of the Russian Government at the positions and territories of Jalalabad, Ghazni, and Kandahar, which are contiguous to the frontiers of India.” The Government of India would have liked to invoke this against M. Stark’s periodical visits to Jalalabad, but it was eventually decided not to do so.³ The Government of India has nevertheless caused an oral protest to be made about these visits every time they have occurred⁴.

1083. The latest considered statement of the Government of India’s opinion in the matter is contained in letter No. 4 of 1932 from the Government of India, Foreign and Political Department (Secret—Frontier) to the Secretary of State for India dated 10th November 1932. In this the Government of India, affirmed their conviction that the Soviet Government were ‘determined to spare no pains in extending their propaganda among the tribes on both sides of the Durand Line.’ They found no general consensus of opinion as to the dangerous effects of the Jalalabad visits, since the Government of the North-West Frontier Province had taken one view and the Minister, Kabul, another. Their conclusions were, however, that such visits should as far as possible be prevented⁵.

1084. The final decision of His Majesty’s Government, communicated by the Foreign Office to His Majesty’s Minister, Kabul, was that it would be inadvisable to put such pressure on the Afghan Government as they might resent, in order to make them put a stop to the visits, but that the visits were clearly undesirable and that if, as a result of the assurances given to them in another connection, the Afghan Government showed signs of taking a firmer line in regard to Russian visits to the Eastern Province, there would be no harm in accepting as a corollary, if necessary, restrictions on the British Military Attache’s tours in the North⁶.

1085. In fact M. Stark’s visits to Jalalabad continued to be an annual incident up to the time of his leaving Kabul in 1936. On each occasion an informal protest was made to the Afghan Government through the British Legation⁷. He was invariably subjected to close supervision by the Afghans.⁸

1086. Reports are periodically received of intrigue by members of the Russian Legation with British tribesmen in Kabul and of Russian intrigue in Tribal territory on the Indian side of the Durand Line.⁹

¹ S. No. (1) in File No. 191-F/32, para. 163.

² Letter to I. O., London, No. 4, dated the 10th November 1932 (A. S. XLVI, 154).

³ Secret Despatch from I. O., London, to the G. G. in Council, No. 2, dated the 9th June 1932 (A. S. XLIV, 280).

⁴ Cf. also XLIII, 17. Despatch from Min., Kabul, to F. O., London, No. 1, dated the 2nd January 1932 (A. S. XLIII, 17).

⁵ Telegram from F. O., London, to Min., Kabul, No. 32, dated the 9th March 1935 (A. S. LVI, 1).

⁶ (A. S. XLVI, 154).

⁷ Despatch from F. O., London, to Min., Kabul, No. 27, dated the 29th March 1933 (A. S. XLVIII, 202).

⁸ Telegram from I. O., London, No. 782, dated the 9th March 1935 (A. S. LV, 300).

⁹ Telegram from C. d’ A., Kabul, dated the 18th March 1935 (A. S. LVI, 39).

¹⁰ e.g., Enclosure II to Express letter from C. C. and A. G. G., N.-W. F. P., No. 1322-R., dated the 24th December 1927 (A. S. XXII, 281).

Telegram from N. W. F. P., No. 222/223-P. N., dated the 10th June 1927 (A. S. XXI, 282).

Memo. from C. C., N. W. F. P., No. 3075-P. S. N./657 of 1/9/28 (A. S. XXIV, 280) and

Telegram from Min., Kabul, No. 201, dated the 7th January 1932 (A. S. XLIII, 29).

Fuller records of these activities are kept elsewhere, and no satisfactory discussion of them in the present compilation is possible.

1087. British objections to establishment of Russian Consulates in the South.—The question of the exclusion of Russian Consulates from Eastern and Southern Afghanistan has always been bound up with the question of securing the right to establish British consulates at Herat and Mazar-i-Sharif. Discussions and decisions up to the end of 1927 are summarised in Paragraphs 614-618 and 696 of the Afghan Précis of 1927.

The present position is that under Articles IV and V of the Russo-Afghan Treaty of 1921¹ the Russian Government has the right to establish Consulates at Ghazni and Kandahar, while in Letter III attached to the Anglo-Afghan Treaty the Amir agreed conditionally to disallow the exercise of that right.

Article V of the Russo-Afghan Treaty is as follows :—

“ Russian Consulates shall be established at Herat, Meimen, Mazar-i-Sharif, Kandahar, and Ghazni. Afghan Consulates shall be established as follows :—A Consulate-General at Tashkend and Consulates at Petrograd, Kazan, Samarkand, Merv, and Krasnovodsk.

Note.—The manner and time of the actual opening of the Russian Consulates in Afghanistan and of the Afghan Consulates in Russia shall be defined by special agreement between the two Contracting Parties.”

Letter III attached to the Anglo-Afghan Treaty is as follows :—

“ As in Article VII of the treaty (between) the two great Governments of Britain and Afghanistan your Government has with great sincerity granted a discriminating exemption from Customs duties on the goods required by my Government and on the trade goods transported to Afghanistan through the ports of Great Britain and British India and has not imposed Customs on goods produced and manufactured in Afghanistan, I therefore, also, in consideration of the friendship (between) the two Governments, write that my Government will not give the opportunity of establishing a Consul-General or Consul or representatives of the Russian Government at the positions and territories of Jalalabad, Ghazni and Kandahar which are contiguous to the frontiers of India. If the Consulates or representatives of the Government of Russia are allowed in the parts mentioned, the Government of Afghanistan shall not have the above-mentioned right of exemption. Of course the temporary association of the Russian Minister with His Majesty's move to Jalalabad in winter will be an exception.”

Note.—Reasons for not regarding the letter as inconsistent with the Article were given by the Secretary of State for India as follows in 1932 :—

“ I have not lost sight of the fact that the undertaking in Letter III was verbally inconsistent with Article 5 of the Soviet-Afghan Treaty, signed on 28th February 1921, which provided that Russian consulates should be established at Kandahar and Ghazni. But between the signature of that treaty and its ratification by the Amir on 14th August 1921, the Afghan Government received three letters, the first from M. Suritz and the second and third from M. Raskolnikov, promising for the present not to open consulates in Kandahar and Ghazni, and the Amir, in ratifying the treaty with the Soviet, expressly stated that he had accepted M. Raskolnikov's two letters as *sanads*. It is clear, therefore, that Letter III of the Anglo-Afghan Treaty signed on 22nd November 1921, was not in fact inconsistent with subsisting agreements between Afghanistan and the Soviet, and that the latter at the time of the ratification

¹ Afghan Précis 1927, Para. 718.

of their treaty had taken cognisance of the arrangement for the exclusion of Russian consulates from the south-eastern zone which was subsequently embodied in the Anglo-Afghan Treaty.”¹

1088. The two questions were under consideration again in 1928 when it seemed likely that the Treaty would come up for revision. The Government of India saw clearly the objections to the continuance in its present form of the promise made by the Afghan Government in Letter III attached to the Treaty, and, though they would be sorry to lose the security which it gave, were ready to replace it by something else such as a written warning that they might regard the establishment of Russian consulates in the South as a symptomatic of unfriendly behaviour on Afghanistan’s part.² The Home Government did not consider that any stronger action was required than stressing to the Afghans the absence of legitimate justification for the presence of Russian consuls in the South, and the likelihood that if they were allowed, their activities would cause trouble.³

1089. The Government of India, after consulting the Frontier Administrations, adhered to their view.⁴ The final decision was as follows :—

“ His Majesty’s Government after full consideration feel bound to decide that we should attempt to secure right to appoint British Consuls at Mazar-i-Sharif and Herat and that any attempt to bind Afghanistan to exclude Russian Consulates should be dropped. By this we would not be prevented from pointing out to Afghans that there can be little or no legitimate reason for appointment of Russian Consulates, that they might well make it their main business to stir up trouble between British and Afghan authorities or between British authorities and tribesmen and that if we found this to be the case we should of course reserve all ordinary international rights of protesting against objectionable activities.”⁵

This decision was incorporated in the instructions sent to Sir Francis Humphrys in May 1928, the relevant portions of which are as follows :—

* * * * * *

(4)“ If revision is to be undertaken, the British Government would desire to secure—

(a) the right to appoint British Consuls at Herat and Mazar-i-Sharif ;

* * * * * *

(5) The British Government no longer desire to secure by treaty the exclusion of Russian Consulate from South-Eastern Afghanistan ; nor would it be desirable to deal with the subject in a letter outside the treaty. It might, however, still be pointed out to the Afghans orally, without claiming a voice in the actual question of admitting Russian consuls, which touches Afghan independence, that there can be little or no legitimate reasons for the appointment of Russian Consuls in these parts, that they might well make it their main business to stir up trouble between the British authorities and the tribesmen, or between the British and the Afghan authorities, and that if we found this to be the case we should of course reserve all the ordinary international rights of protest against objectionable activities.

This could be said with all the more force in regard to Jalalabad, which is understood to be the area to which the Government of India’s objections to the admission of Russians more especially apply, because the Afghans have not already conceded to the Russians a treaty right to appoint a Consul there, as they have at Ghazni

¹ Secret Despatch from I. O., London, to H. E. the Rt. Hon. the Governor General of India in Council, No. 2 (External), dated 9th June 1932 (XLIV, 280.)

² Telegram to I. O., London, No. 6-S, dated the 3rd January 1928 (A. S. XXII, 286-A).

³ Telegram from I. O., London, No. 317, dated the 2nd February 1928 (A. S. XXIII, 18).

⁴ Telegram to I. O., London, No. 355-S, dated the 16th February 1928 (A. S. XXIII, 40).

⁵ Telegram from I. O., London, No. 606, dated the 2nd March 1928 (A. S. XXIII, 58).

and Kandahar. But it does not appear advisable to attempt to take advantage of this fact to retain a treaty provision excluding Russians from the Jalalabad area only. To do so would still be open to the other general objections—that it would be a departure from ordinary international practice and an infringement on Afghan independence; and it would inevitably prejudice the prospect of our being able to appoint British Consuls at Herat and Mazar-i-Sharif.”¹

* * * * * *

1090. Nothing came of these proposals, owing to the outbreak of the Rebellion. In March 1931 Sir Richard Maconachie re-opened the question in his despatch No. 29, dated 10th March 1931 to the Foreign Secretary, London. After summarising previous correspondence he wrote :—

“ The question has not yet arisen for urgent consideration, and my only object in raising it now is to suggest that, if it comes to be discussed with the present Afghan Government it will probably be found that the considerations on which the decision of 1928 was based no longer hold good.

The assumption underlying the previous negotiations and discussions was that as Article V of the Russo-Afghan Treaty provided for the establishment of Russian Consulates in Eastern Afghanistan, the Afghan Government would require some strong inducement to resist the enforcement of this right by the Soviet Government. This inducement was given by letter III attached to the Anglo-Afghan Treaty, and the right to establish the Consulates in question held in abeyance by M. Suritz’s letter of June 28, and M. Raskolnikov’s of July 22, 1921 (Serial No. 256 in Afghan Series, Part VI).

But, if this assumption was reasonable in 1921, it is doubtful whether it holds good today. There is considerable evidence to show that the Government of King Nadir Shah is offering a more determined resistance to the extension of Soviet influence in this country than did that of Amanullah Khan, and consequently I should expect to find that, if negotiations on the subject were opened with them, they would need no other inducement than a realisation of their own interests to make them oppose the establishment of these Consulates. Should the Soviet Government then press their claim under Article V of the Treaty, the Afghan Government would find it easy to retort with a reference to the failure of the Soviet Government to discharge the obligations recorded in Articles VIII and IX.

Similarly, I should expect the present Afghan Government to reject any suggestion for the establishment of British Consulates in Northern Afghanistan, on the ground that acceptance of it would make it more difficult for them to maintain their objections to Russian Consulates in the East.

So long, therefore, as King Nadir Shah’s Government adheres to its present policy, both the danger of Russian Consulates being established in the East, and the possibility of securing the right to establish British Consulates in the North, appear to be equally remote.”²

1091. **Revolutionary Intrigue.**—Most of the “ Revolutionaries ” from India who visit Afghanistan have some sort of connection with Russia. They receive little consideration from the Afghans.³ Mahendra Pratap was actually flown to Kabul by the Russian Air Service in 1930, directly contrary to the known wishes of the Afghan Government, but has not been back since. References to restrictive action by the Afghan Government against persons of

¹ Letter from F. O., London, to Sir Francis Humphrys, G.C.V. O., K.B.E., C.I.E., Kabul, No. 75, dated the 12th May 1928 (A. S. XXIV, 17).

² Despatch from Min., Kabul, to F. O., London, No. 29, dated the 10th March 1931 (A. S. XXXVIII, 208).

³ Para. 3 of Sub-Encl. II to S. No. 82, File 575/F. 1934.

this nature, and against others who showed tendencies to too close liaison with the Soviet Embassy, are to be found in the Annual Reports of the British Legation for 1931 (paragraphs 186—187), 1932 (paragraphs 215—219), 1934 (paragraphs 229—234) and 1935 (paragraph 212).

1092. Air Matters.—Russian control of the Afghan Air Force in King Amanullah's time was almost complete. King Nadir Shah lost no time in removing all foreign personnel and leaving the piloting and maintenance entirely in Afghan hands.¹

No official notice was taken by the Afghan Government of a visit of three Russian aeroplanes to Kabul in 1930 on a propaganda flight.

The continuance of the irregular Russian air service from Tashkent *via* Termez to Kabul, in spite of the Afghan Government's obvious displeasure, has already been mentioned and is described in paragraph 1227. The service began under an agreement concluded with King Amanullah. King Nadir Shah did not like it and would not renew the agreement, but was not able to put a complete stop to the service. He prepared a counter to it by providing a similar concession to the British Government.

¹ Para. 873.

CHAPTER XIV.

FRONTIER LIABILITIES CLAIMS AND JOINT PROCEEDINGS.

1093. **Introductory.**—Sir Richard Maconachie's *Précis on Afghan Affairs* Chapter XXIII, traces the growth of the principle of reciprocity in frontier relations, analyses the legal position and discusses the development of principles in practice. No new principle has been evolved in recent years, and the subject can best continue to be treated on the lines of Sir Richard Maconachie's Chapter.

LIABILITIES AND CLAIMS.

RESPONSIBILITY FOR RAIDS.

1094. Oppenheim's *International Law*, Chapter III, gives two kinds of State Responsibility :—

- (1) Original.—For injuries done to another State either—
 - (a) by itself, *i.e.* the head of the State or Government, or
 - (b) by officials or other individuals commanded or authorised by the Government.
- (2) Vicarious.—For injuries done to another State either—
 - (a) by its Functionaries acting in their official capacity but without command or authorisation of the Government, or
 - (b) by the State's officials not acting in an official capacity, or by its subjects or by aliens temporarily resident in its territory.¹

As will be seen from later paragraphs, the Government of India relies for its claims more on the usage which has grown up between the two countries than on International Law.²

In their application to claims relating to the Indo-Afghan Frontier the words 'injuries done to a State' include injuries done to the subjects of that State.

RESPONSIBILITY FOR RAIDS.

1095. (1) **Original.**—There have been no examples in the period under review of claims made or compensation offered under (1) (a) or (1) (b).

(2) **Vicarious (a) For injuries done to another state by its functionaries whether civil or military, acting in their official capacity, but without command or authorisation of the State.**

1096. *Murder of Mohammed Afzal, nephew of Saiyid Mir Qasim of Kharlachi, 6th March 1934.*—According to British local investigation Muhammad Afzal, nephew of a leading Malik of the Kurram Agency, was killed 'without any justification by troops of the Afghan Government at a spot some 270 yards inside the British border.' His Majesty's Minister presented a statement to this effect to the Afghan Foreign Office within four days of the occurrence, and asked for an early intimation of the Afghan Government's attitude.³ The Afghan Government did not admit the truth of the reported version but promised further investigation.⁴ Their further investigations were equally unsatisfactory,⁵ and a demand for a Joint Commission of Enquiry was made in the name of the British Government.⁶ The proposal was

¹ A. P. (1927), para. 439.

² Cf. Para. 1116.

³ Memo. from Min., Kabul, to F. O., London, No. 46, dated 10th April 1934 (A. S. LIII, 61).

⁴ Memo. from Min., Kabul, to F. O., London, No. 53, dated 4th May 1934 (A. S. LIII, 118).

⁵ Express Letter from Min., Kabul, No. 690/A., dated 18th May 1934 (A. S. LIII, 169).

⁶ (A. S. LIII, 193).

accepted by the Afghan Government.¹ The Commission met in August 1934. The Afghan Commissioner admitted privately to the British Commissioner that the British version of the incident was correct, but dared not commit himself to a report acknowledging this. As he and the Political Agent could not agree on a joint finding, he returned to Kabul 'to lay the facts before the Foreign Minister'². In order to prevent local embarrassment, since it was generally known that the Kurram version was true, the Government of India decided that it was best to withdraw the case entirely from the Commissioners and let it be settled in Kabul, if possible 'by getting the Afghan Government to express regret at an unfortunate incident and pay compensation'³.

The Government of India then intimated its willingness to accept Rs. 1,500 Kabuli as compensation. The Afghan Government agreed and paid the equivalent of Rs. 1,500 Kabuli at the same time as other sums due from it. There is no mention in the file of any expression of regret.

The Afghan Government never admitted in so many words that soldiers of State forces were responsible for the murder.⁴ It is therefore not really established that this was a case of Vicarious Responsibility of the (a) kind.

1097. *Punishment of the offenders*.—If the Political Agent's version should be found to be justified, the Government of India were inclined to urge that a request for punishment of the offenders should be made to the Afghan Government, basing their claim on international law.⁵ Sir Richard Maconachie pointed out certain objections to this proposal, namely (i) that the Afghan Government would reply that no punishment had been inflicted on the Wazirs and Mahsuds who invaded Khost in 1933, and (ii) that the precedent created might be awkward if the Afghan Government sought to apply it in cases of Afghan subjects being killed or injured by mis-directed bombs dropped from British aeroplanes.⁶ The proposal was not pressed.

(2) Vicarious (b) by the State's officials not acting in an official capacity, or by its subjects.

1098. **The Legal Position**.—In the case of vicarious responsibility of the (b) kind, under which head practically all raids fall, the position under International Law is that damages can be claimed from the Government of the country from which the offenders started, only if the latter Government has failed to exercise due diligence either in preventing the commission of the offence, or in procuring satisfaction and reparation by punishing the offenders and compelling them to pay damages if required. According to a note of Sir Denys Bray 'our relations with Afghanistan in this matter rest on

(1) Treaties and Agreements.

(2) Established practice, and only when these fail on

(3) General International law or usage.'⁷

1099. **Major Raids**.—Two big raids by the subjects of one country into the territories of the other took place during Nadir Shah's reign, the invasion of the Kurram by Afghan tribal lashkars in 1930, and the Wazir-Mahsud incursion into Afghanistan in 1933. In each case the Government whose subjects were at fault admitted liability,⁸ but in each case the other Government waived its claim to compensation.⁹

In the case of the attack by Ghilzais on Nimparao Post, Baluchistan in 1933 no claim for compensation was made from the Afghan Government.

¹ Memo. from B. L. K., No. 690/A., dated 12th June 1934 (A. S. LIII, 261).

² Memo. from N. W. F. P. Government, No. 2995-P. C. N./1361-P. S., dated 8th September 1934 (A. S. LIV, 200).

³ Telegram to Min., Kabul, No. 230-K., dated 5th September 1934 (A. S. LIV, 175).

⁴ Cf. Kabul telegram No. 596, dated 28th August 1934 (A. S. LIV, 158).

⁵ Express Letter to H. M.'s Min., Kabul, No. F.-105-F./34, dated 19th April 1934 (A. S. LIII, 69).

⁶ Express Letter from Min., Kabul, No. 690/A., dated 5th May 1934 (A. S. LIII, 117-A).

⁷ Minutes by Sir D. Bray (19th June 1924) (A. S. XIV-n. p. 12).

⁸ Cf. (a) (A. S. XXXVI-296), (b) (A. S. XLVIII, 130).

⁹ Cf. (a) (A. S. XXXVII-38), (b) (A. S. L., 63).

No claim had been made on account of similar attacks in the two previous years.¹

1100. Minor Raids.—In the cases of these major raids there was never any real doubt about the liability of the Government concerned. In cases of minor raids by small parties of tribesmen, by gangs, or by individuals the position has had to be made clear by specific declarations and by references to precedent.

1101. Formal acceptance of the Principle of Liability.—In the preliminaries to the sitting of the Kurram-Khost Joint Commission of 1934 the Afghan Government were asked for an open acceptance of the principle of responsibility for the wrong acts of their subjects. The wording in which it was suggested to them was as follows :—

“ In cases in which an offence is proved to have been committed, but the complainants are unable to identify the actual offenders, or in which identification of such offenders is alleged by the complainants but not established to the satisfaction of the Commissioners, the responsibility for the offence should be held to rest on the tribe or section within whose limits such offence was committed.

Similarly when persons from the territory of one Government having entered the territory of the other Government commit an offence there but are not certainly identified, responsibility for the offence should be held to rest on the tribe or section in the country of origin from whose limits the offenders actually entered the territory in which they committed the offence.

This principle would of course be applied reciprocally and in all cases. A few instances will make the matter clear :—

A robbery is proved to have been committed in Afghan territory, within the limits of the Maidan Jajis on residents of the Kurram. The actual offenders are not identified, and consequently the Maidan Jajis will be held responsible. Similarly a robbery is proved to have been committed in the limits of Alizai (Kurram) on residents of Afghan territory. The actual offenders are not identified and consequently the inhabitants of Alizai will be held responsible for the offence. Again offenders from the Kurram enter Jaji Maidan in Afghan territory, and commit an offence there but are not identified. They are found however to have entered Afghan territory from Malli Khel limits in the Kurram. Responsibility will be held to rest on the Malli Khel. The rule would of course be applied conversely in the case of raids from Afghan territory into the Kurram.

This principle which is known as that of ‘ territorial responsibility ’ is well recognised by the frontier tribes, among whom it has long been in force. It was fully discussed by the Political Agent, Kurram, with Naib Salar Sher Ahmad Khan when the latter was Governor of the Southern Province, and Aliqadr Sadaqat Maab Haji Nawab Khan has now ‘ I am informed ’ expressed himself as entirely in favour of its adoption. Since however he had received no explicit instructions from the Afghan Government on the point he felt himself unable to accept this principle without reference to Kabul.

I understand from the Mudir-i-Gharbia (Head of the Western Department of the Foreign Office) who called on me yesterday that the proposal had now been referred by Aliqadr Sadaqat Maab Haji Nawab Khan for sanction to the Afghan Government.

Your Excellency will I am sure readily appreciate that in frontier tracts especially when offences are committed in foreign territory or by foreigners it is frequently impossible to identify the actual offenders while for obvious reasons police investigations to estab-

¹ Express Letter from Norwef, No. 3326-P. C., dated 15th August 1932 (A. S. XLV, 149).

lish the identity of the actual offenders are also impossible. It is in these circumstances that the principle of territorial responsibility has been established and proved beneficial, since it discourages the residents of any frontier area from allowing residents of other areas to enter its limits in order to commit offences. Also the tribe in whose limits an offence has been committed can usually ascertain and identify the actual offenders, and claim from the latter any sum which they may themselves have paid as compensation under this principle.

If on the other hand the principle of territorial responsibility were not enforced many crimes would go unpunished and lawlessness on the frontier would greatly increase in consequence.

For these reasons I confidently hope that Your Excellency's Government will be able to accept the application of this well known principle in the present instance, and have the honour to request that early instructions may kindly be issued to the Afghan Commissioners accordingly so that the work of the Commission which has begun so promisingly may be carried on without delay to a successful conclusion."¹

They eventually accepted in the following terms :—

“ Haji Muhammad Nawab Khan, Head of the Afghan Commission in the Southern Province, has been informed and ordered that in cases and claims in which the identification of the accused and perpetrator is not known or established, and in which a certain tribe is charged with responsibility he should make the necessary enquiries in jirga, and find out and discover the facts himself. In case the Afghan Commission is convinced of the occurrence of an event and the claim is proved, though the perpetrator is not known it will be accepted by the Afghan Commission. But if the Commission is not convinced of the reality of the occurrence in question it will, of course, enter into discussions. I trust that Your Excellency will give necessary instructions to your Government's Commission on the subject ”².

The Afghan Commissioners nevertheless evaded the direct application of this principle in the proceedings of 1933. In the Kurram-Khost Joint Commission of 1936 they gave effect to it.

The Afghan Government re-affirmed their acceptance of this principle in 1936—*vide* para. 1129 (See also para. 1115. Attack by Pale, Khosti, on mail lorry in Baluchistan).

1102. **British acceptance of liability for raids from the British side of the Line into Afghanistan**, is governed by two main considerations in addition to the canons of International Law. The first is the principle of reciprocity, already discussed. The second is reached by insistence that the Afghan Government shall not interfere with British tribesmen. One excuse regularly made by the Afghan Government for interference is the necessity of self-protection against raids. The excuse may or may not be true, but whether it is so or not the Government of India are bound, if they insist on non-interference by the Afghan Government, to guarantee in return compensation for raids from their side of the line.³

1103. The difficulties involved by the acceptance of the principle have been many times pointed out⁴, and were summarised by the Government of India in 1932 as follows :—

“(a) In point of fact the Government of India have not at present complete control over the tribes on the Indian side of the line and cannot prevent them from raiding into Afghanistan.

¹ Enclosure to S. No. 63, File 241-F./33.

² Enclosure to S. No. 70 of File No. 241-F./33.

³ Memo. to C. C. & A. G. G., N. W. F. P. and A. G. G. & C. C., Baluchistan, No. 412 (I) F., dated 26th October 1925 (Confdl.) (A. S. XIX, 72).

⁴ Memo. from A. G. G., N. W. F. P., No. 3744-P. C., dated 16th September 1932 (A. S. XLV, 261).

- (b) In the opinion of the responsible local officers, in spite of various agreements which certain tribes have given not to misbehave in Afghanistan, any attempt to punish them for so doing, or to exact reparation, would be likely to lead to rupture and the Government of India are naturally chary of risking this, especially against an important and powerful tribe like the Afridis.
- (c) The Afghan Government have their own ideas as to the status of these tribes and if the Government of India are not mistaken, nothing would be more distasteful to them than to see the Government of India embarking on punitive measures against the Afridis for example for offences committed in Afghanistan.
- (d) The attitude and actions of past Afghan Governments had made it very difficult for the Government of India to take up with any good will against the tribes any case in which the Afghans occupy the position of complainants¹."

1104. The Government of India have nevertheless decided that acceptance of responsibility is the only sound policy.² They desire to enforce it 'not by any overt or spectacular change of policy, still less by provoking a crisis in Tribal Territory, but by a trifling change of direction which, as time goes on, may, if opportunities present themselves and are taken, bring about a different state of affairs on the Indo-Afghan Frontier from that which now exists.'³ (The correspondence mentioned in paragraph 1103 is subsequent to these declarations.)

1105. In practice the principle of acceptance of responsibility by the Government of India is not pressed to extremes by either Government. The Government of India avoid insisting on the fulfilment of responsibility in cases where it would be almost impossible for them to do so, and the Afghan Government avoid asking them to fulfil it in cases where they fear it might be an excuse for new 'penetration' of Tribal territory.

Examples.—(i) When Shinwaris and Mohmands from the British side of the border attacked the Afghan customs post at Sarkanni in 1934 the Afghan Government did not claim compensation but allowed their local officials to send for the offenders and make a settlement with them direct. The Government of India decided to let this pass without protest, for the reasons that their control in that area was remote and that demarcation of the boundary there had not been taken up with the present Afghan Government.⁴

(ii) When Afridis committed an incursion into Afghan territory in 1931 the Afghans made a similar direct settlement through their local officials. For similar reasons the Government of India made no protest, though they afterwards felt that they had thereby let an opportunity slip⁵.

MINOR RAIDS. RECENT PRACTICE.

1105A. **The Eastern Province.**—The Afghan Government made no claim for compensation on account of the Asmar raid of 1929⁶.

1106. **The Southern Province.** (i) **The Kurram.**—The many raids and minor incidents occurring on the Kurram Border are as a rule referred for settlement to periodical joint commissions. Two incidents, or series of incidents, require special mention, the murder of Mohammad Afzal and the Sahib-Din-Zamin (Muqbil) incidents. The murder of Mohammad Afzal has already been discussed under the heading—"Vicarious Responsibility—(a) For injuries done by the functionaries of a State acting in their official capacity".

¹ Letter to I. O., London, No. F.-48-F/32, dated 1st June 1932 (A. S. XLIV, 213).

² *Ibid.*

³ Letter to C. C. & A. G. G., N. W. F. P., No. 339-F., dated 14th April 1927 (A. S. XXI, 162).

⁴ Letter to Min., Kabul, No. D.-2834-F/34, dated 7th June 1934 (A. S. LIII, 214).

⁵ Letter to I. O., London, No. F.-48-F/32, dated 1st June 1932 (A. S. XLIV, 213).

⁶ Cf. (A. S. XXXVI), 244 and connected correspondence.

1107. "*The Muqbil case*".—The Zamin-Sahib Din dispute was in the first place one between Kurram Muqbils in Afghan limits over land situated in the Afghan village of Jawara. Zamin and other Muqbil Maliks of Dargai, Kurram territory were the leaders of one party. They spent most of the summer months in Afghan territory and were practically dokora. The dispute was with relatives of their own, who were also 'dokora', over the construction of some houses in Afghan limits. The other party were supported by Afghan Muqbils led by Sahib Din of Wuch Algad in Afghan territory.

On first hearing of the likelihood of a dispute, the Political Agent, Kurram told Zamin's party that he could take no responsibility for the safety of their property in Afghan territory, that the persons living there must approach the Afghan authorities, and that in no circumstances were Kurram Muqbils to take part in fighting in Afghan territory. The Muqbil Maliks of the Kurram were made to furnish security to this effect. Two days later, on 26th July 1934 there was severe fighting between the parties in Afghan territory. Six Kurram and three Afghans Muqbils were reported killed and the same number wounded. All these casualties were reported to be on Zamin's side. The authorities on both sides of the line took all possible precautions to prevent further fighting, a number of arrests were made, and a party of Kurram Militia were posted in and near Dargai village¹.

1108. Before making a suggestion for an enquiry by a Joint Commission, as a joint commission happened to have been appointed at the moment to enquire into the case of the death of Mohammad Afzal, the British Minister, Kabul, pointed out to the Government of India that reference of the case to a joint commission might conflict with a principle lately stated by the Government of India in dealing with the Afghan Government's proposals for the appointment of Frontier Commissars. This principle had been stated as follows :—

"They (the Government of India) cannot agree to any interference by Afghan Commissars with the settlement of offences committed against Government in British tribal area either by British Indian tribesmen or by migratory Afghan tribes temporarily resident on the British Indian side of the Durand Line. Similarly they will not agree to any interference in the settlement of disputes in British tribal area between British tribesmen or between British tribesmen on the one hand and migratory Afghan tribesmen on the other".²

The Government of India were of opinion that there was a distinction between 'dokora' and 'migratory' tribes, and that although there would no doubt be cases on the border line the distinction in the present case was sufficiently clear³. The British Minister felt doubtful of the possibility of making the distinction clear to the Afghan Government⁴. The Government of India on reconsideration accepted the Minister's arguments as valid and asked him to intimate to the Afghan Government that they did not desire the case to be referred to the Joint Commission⁵. The telegram to this effect, however, reached Kabul too late⁶.

1109. The case was nevertheless not taken up by the Commission,⁷ but the Political Agent, Kurram, acting alone arranged a settlement between the parties⁸. The Political Agent informed the Hakim-i-Ala of the Southern Province of the terms of the settlement and asked him to send to Parachinar those Afghan subjects who were entitled to receive compensation⁹. By June 1935 no one had turned up to receive blood money or compensation.

¹ Express letter from N. W. F. P., No. 2573-74/P. C. N./1415-P. S., dated 11/13th August 1934 (A. S. LIV, 127).

² Letter to I. O., London, No. F. 479-F/33, dated 29th June 1934 (A. S. LIII, 293).

³ Telegram to Min., Kabul, No. 214-K., dated 25th August 1934 (A. S. LIV, 152).

⁴ Memorandum from Min., Kabul, No. 836, dated 30th August 1934 (A. S. LIV, 167).

⁵ Telegram to Min. Kabul, No. 230-K., dated 5th September 1934 (A. S. LIV, 175).

⁶ Telegram from Min., Kabul, No. 609, dated 6th September 1934 (A. S. LIV, 177).

⁷ Telegram from Norwef, No. 290-S., dated 13th September 1934 (A. S. LIV, 202).

⁸ Memorandum from Counsellor, B. L. K., No. 836, dated 31st August 1935 (A. S. LVII, 288).

⁹ Memorandum from Counsellor, B. L. K., No. 836, dated 10th April 1935 (A. S. LVI, 161).

1110. In spite of the settlement tension continued and in April 1935 a gang of Muqbilis from Afghan territory committed a raid on Dargai village. In doing so they were engaged by the Kurram Militia, who suffered one man wounded. One raider was known to have been killed and one wounded¹. The Afghan Government were asked to take urgent steps to prevent further incidents². Their local officers did their best to do so³, and for a time nothing further happened, though both sides remained on the watch⁴. Meanwhile efforts were made to get the Afghan decree-holders to Parachinar to receive their compensation, which had been recovered from Zamin's party⁵. As these efforts were unsuccessful, it was later decided to pay the money to the Afghan Government⁶.

1111. Despite the precautions taken by the authorities Zamin, leader of the Dargai party, his son and a relative were murdered in British territory on 5th January 1936⁷. The offence was of Kurram territory, but as the murderers were members of Sahib Din's party, enquiry was made whether the Afghan Government would forfeit the security which they had taken from Sahib Din for the prevention of further hostilities⁸. They considered however that as the murderers did not 'belong to the tribes of Sahib Din', it was not possible to forfeit the security⁹. The British authorities at the same time decided that as the murders seemed to have re-opened the whole case, payment of blood money and compensation should be held up¹⁰.

1112. After further negotiation, during which the Government of India adhered to their previous decision that the cases were not suitable for inquiry by a Joint Commission,¹¹ the Afghan authorities sent Sahib Din in to Parachinar with a view to a final settlement being arranged through the Political Agent¹². With the aid of the Afghan Joint Commissioner and Afghan jirga members, who were present for the regular Kurram-Khost Joint Commission of 1936, fresh recommendations for a settlement were made¹³. They were not part of the 'agenda' of the Joint Commission, but were separate proceedings¹⁴. The Afghan Commissioner declined to record an opinion as 'the recommendations had to do with the internal affairs of Afghanistan and had no concern with the jirga or Commission'.

The case remained unsettled at the time of compiling this volume.

1113. **The Southern Province. (ii) North Waziristan.**—In August 1933 the Afghan Foreign Office made a complaint to the British Minister of a raid into Afghan territory by Bora Khel Wazirs of the Tochi Agency¹⁵. The Government of India agreed to the appointment of a Joint Commission to enquire into this and another allegation, in both of which there seemed to be some truth¹⁶, but for various reasons the proposed Commission has not yet met.

¹ Memorandum from P. A., Kurram, to N. W. F. P. Government, No. 156-C., dated 28th April 1935 (A. S. LVI, 232).

² Telegram from Norwef, Peshawar, No. 171, dated 30th April 1935 (A. S. LVI, 211).

³ Memorandum from Counsellor, B. L. K., No. 836, dated 28th December 1935 (A. S. LIX, 99).

⁴ Memorandum from N. W. F. P. Government, No. 1799-P. C./1529-P. S., dated 5th June 1935 (A. S. LVII, 15).

⁵ Memorandum from Counsellor, B. L. K., No. 836, dated 31st August 1935 (A. S. LVII, 288) and memorandum from Counsellor, B. L. K., No. 836, dated 31st October 1935 (A. S. LVIII, 280.)

⁶ Confidential memorandum to Counsellor, B. L. K., No. F-345-F/34, dated 28th February 1936 (A. S. LIX, 198).

⁷ Express letter from Norwef, No. 455-P. C./1415-P. S., dated 4th February 1936 (A. S. LIX, 160).

⁸ Memorandum from the Counsellor, B. L. K., No. 836, dated 14th March 1936 (A. S. LIX, 235).

⁹ Memorandum from the Counsellor, B. L. K., No. 836/II, dated 25th April 1936 (A. S. LX, 28).

¹⁰ Telegram to Norwef, No. 1214, dated 20th May 1936 (A. S. LX, 93).

¹¹ Telegram to Min., Kabul, No. 107, dated 27th May 1936 (A. S. LX, 120).

¹² Memorandum to N. W. F. P. Government, No. 4494-P. N./1415-P. S., dated 13th July 1936 (A. S. LX, 227).

¹³ Confidential memorandum from N. W. F. P. Government, No. 2918-P. C./1415-P. S., dated 11th August 1936 (A. S. LX, 280.)

¹⁴ Letter from P. A., Kurram, to N. W. F. P. Government, No. 461-C., dated 31st July 1936 (A. S. LX, 265, Encl.).

¹⁵ Memorandum from Counsellor, B. L. K., No. 690/B, dated 16th February 1934 (A. S. LII, 185).

¹⁶ Confidential memorandum to Min., Kabul, No. F-63-F/34, dated 7th February 1935 (A. S. LV, 194).

1114. (iii) **Raids on the Baluchistan Border.**—In April 1934 complaint was made by the Agent to the Governor General, Baluchistan of raiding from across the border by absconders from British territory living in Afghanistan. The offences of which complaint was made consisted of firing shots at Government buildings by night. They were not serious in themselves but disclosed a lack of co-operation on the part of the local Afghan official, the Hakim of Kila-Jadid. This officer was in direct personal communication with the British local authorities but made the excuse that he could not co-operate without express orders to that effect from Kandahar. This was in spite of the fact that the British authorities had taken action twelve times in the last eighteen months on similar requests from Afghan officials. All that was required of the Afghan official in this case was that he should restrain the offenders, Nazarai and Abdulla Jan, sons of Mir Alam, and Khudai Rahm from committing further offences¹. This alleged lack of co-operation² was reported by the British Legation to the Afghan Foreign Office, who passed it on to the local officials at Kandahar, and in due course reported that the complaints were not justified³. Meanwhile Khudai Rahm continued his offences⁴. After further complaints by the British Legation⁵, Khudai Rahm was arrested and put into jail in Kandahar.⁶ The cases against him had by that time been put on the list for the proposed Joint Commission⁷. When they came up for hearing in April 1936 the Commissioners decided that as he had already spent two years in jail in Kandahar, no further punishment was necessary⁸.

(2) VICARIOUS—(b).

FOR INJURIES CAUSED BY AN ALIEN TEMPORARILY RESIDENT IN A STATE'S TERRITORY.

1115. **Attack on Mail Lorry in Baluchistan.**—The Mail Lorry was attacked on the road between Loralai and Fort Sandeman on 27th April 1935 by a gang led by Pale, Khosti (British tribesman). Five persons were killed and three wounded. Pale, Khosti, was already an outlaw and was living with the Khoidad Khel Suleman Khel, Afghan subjects. Five of this tribe were believed to have taken part in the outrage. Pale and his confederates returned to Suleman Khel territory after committing the outrage and were still sheltering with them afterwards. A jirga which met to assess compensation decided that Rs.14,000 was due to the injured and to heirs of the persons killed. The Agent to the Governor General, Baluchistan, recommended that the Afghan Government should be asked to make payment of the whole amount due, less any small sum which might be recovered in British territory, and to take measures to remove the offenders from the neighbourhood of the border and prevent them committing any further offences⁹. The Government of India supported the Agent to the Governor General's recommendation¹⁰.

1116. This raised the important problem of the responsibility of the Afghan Government for an offence committed by a British protected subject (the Khostis are British tribesmen) from a base in Afghanistan. As there was some discussion about the facts justifying the claim, the first protest was merely a request for removal of the gang from the border, with an intimation

¹ Memorandum from A. G. G., Baluchistan, No. 2034-P., dated 27th April 1934 (A. S. LIII, 91).

² Memorandum from Counsellor, B. L. K., No. 667, dated 10th August 1934 (A. S. LIV, 118).

³ Memorandum from H. M.'s C. d'A., Kabul, No. 667, dated 6th March 1935 (A. S. LVI, 20).

⁴ Express letter from Baluchistan, Quetta, No. 1138-P. S., dated 1st March 1935 (LV, 266).

⁵ Memorandum from C. d'A., Kabul, No. 667, dated 14th March 1935 (A. S. LVI, 46).

⁶ Memorandum from A. G. G. and C. C. in Baluchistan, No. 2297-P., dated 10th May 1935 (A. S. LVI, 250).

⁷ Memorandum from Counsellor, B. L. K., No. 766, dated 2nd May 1935 (A. S. LVI, 233).

⁸ See Statement No. 9, Report of Chaman Commission of 1936 (A. S. LXI, 18A).

⁹ Memorandum from A. G. G. and C. C. in Baluchistan, No. 3379-P. Z., dated 22nd July 1935 (A. S. LVII, 120).

¹⁰ Memorandum to Min., Kabul, No. F.-201-F/35, dated 15th August 1935 (A. S. LVII, 190).

that a claim might be made later¹. The next proposal was for an informal joint enquiry committee to meet locally and 'decide on the question of compensation'². In discussions arising out of these requests the Afghan Prime Minister objected to the liability of the Afghan Government to pay compensation on the grounds that (a) Pale was a British subject, and (b) no previous intimation had been given to the Afghan Government of the presence of a dangerous British outlaw within their borders³. The Government of India refused to admit either of these arguments⁴. The Foreign Office, London, supported the Government of India but directed that the claim for compensation should be based on the fact that the crime was committed from a base in Afghan territory and on *established frontier usage*, rather than on general principles of International Law. Discussing the references to International Law in paragraph 439 of the Afghan Précis of 1927, the Foreign Office stated that, owing to the dubious basis of claims which might be made under International Law it was now best 'to rely not on International Law but on usage which has grown up with the consent of both Governments'⁵. These instructions may be accepted as a statement of the present position.

1117. The British statement of the case for compensation is contained in Enclosure II to Serial No. 172 of Afghan Series, Part LX. Precedents are quoted in Serial No. 199 of Afghan Series, Part LX. On these precedents being quoted to them, the Afghan Government withdrew their objections and accepted the principle which had hitherto been followed in such cases⁶. They asked however that the Government of India should whenever possible notify them of the presence in Afghanistan of potential criminals from India, and the British Minister agreed, without departing from the general principle, to convey this request to the Government of India. As regards the particular case of Pale, the Afghan Government agreed to setting up a commission to decide on the degree of responsibility incurred by themselves and to fix rates of compensation. The Commission was not to meet until later in the year⁷. The Government of India agreed⁸.

JOINT PROCEEDINGS.

1118. The following formal joint commissions for the settlement of cases have taken place during the period 1927—1936.

1. Kurram-Khost Commission	1933
2. Kurram-Khost Commission	1936
3. Chaman Commission	1936

The Kurram-Khost Commission of 1933 was the first important Joint Commission since the accession of the present Ruling House in Afghanistan. It established a number of precedents, and is therefore described at length in a later paragraph.

An 'ad hoc' Joint Commission was held on the Kurram border in 1934 for settlement of the Mohammad Afzal case (paragraph 1097).

The following Joint Commission has been agreed upon by both countries but has not yet taken place.

Khost-North Waziristan⁹.

The following informal commission has taken place.

Informal commission on the Khyber border, 1936.¹⁰

¹ Despatch from Min., Kabul, to F. O., London, No. 101, dated 11th September 1935 (A. S. LVIII, 67).

² Despatch from C. d'A., Kabul, to F. O., London, No. 126, dated 7th November 1935 (A. S. LVIII, 289).

³ Telegram from Min., Kabul, to F. O., London, No. 16, dated 21st February 1936 (A. S. LIX, 183).

⁴ Telegram to I. O., London, No. 513, dated 23rd February 1936 (A. S. LIX, 185).

⁵ Telegram from F. O., London, to Min., Kabul, No. 32, dated 8th April 1936 (A. S. LIX, 288).

⁶ Confidential memorandum from Min., Kabul, No. 667/4, dated 31st July 1936 (A. S. LX, 259).

⁷ *Ibid.*

⁸ Despatch from Min., Kabul, to F. O., London, No. 131, dated 16th September 1936 (A. S. LXI, 83).

⁹ Para. 968.

¹⁰ Para. 1132.

1119. Conditions precedent to the holding of a Joint Commission.—It is obvious that a joint commission would not be necessary if

- (i) There were no offences, or
- (ii) One Government admitted without question the claims of the other.

It follows that before there is a joint commission, there must be complaints of an offence and a statement of the case by each party. The normal procedure, in the case of an offence committed on the Indian side of the Line, is therefore as follows :—

- (i) A report is received by the local frontier authority of an alleged offence committed from a base on the opposite side of the Durand Line.
- (ii) The local authority makes some kind of investigation and either keeps the case for the next joint commission, or reports it to the local administration. In certain cases, in which immediate action is likely to be helpful, he communicates direct with the local authority across the border¹. (In the case of anything which can be fairly described as a raid, an immediate report to the Government of India has to be made—*cf.* paragraph 1119.)
- (iii) The case is reported to the Government of India, which, if it thinks fit, reports to the Minister Kabul and asks for a protest to be made to, or information given to, the Afghan Government². At the same time further investigation by the local authority is ordered and continues.
- (iv) The Afghan Government make their own enquiries and in due course make their reply to the British Minister³.
- (v) The two Governments then decide what further action is to be taken. In some cases one Government suggests a joint proceeding of some sort, and the other declines⁴; in others one Government offers compensation and the other either declines⁵ or accepts it⁶; in others both Governments agree on a joint commission, and a joint commission takes place⁷; in others both Governments agree on a joint commission, but no joint commission takes place⁸; in others some sort of informal proceeding takes place⁹.

1120. Authority for the appointment of Commissions.—Reference had at first to be made to His Majesty's Government in the United Kingdom for the appointment of British Commissioners and for formal orders of detail in other matters arising out of the assembly of joint commissions for the settlement of Indo-Afghan Frontier Cases. In despatch No. 64 (N.-2620/840/97), dated 25th May 1935, the Foreign Secretary informed the British Minister, Kabul, that His Majesty's Government had delegated to the Government of India the power to appoint British Commissioners on their behalf, to fix dates of assembly, and to determine the issues to be laid before the Commissions, in direct correspondence with His Majesty's Legation¹⁰.

1121. Exclusion of civil cases.—For reasons discussed in the report of the Proceedings of the Joint Kurram Khost Commission of 1933, it was decided that civil cases, *i.e.*, claims for money, for recovery of debts, etc.,

¹ Memorandum from A. G. G. and C. C. in Baluchistan, No. 2034-P., dated 27th April 1934 (A. S. LIII, 91).

² S. No. (4) in F. No. 241-F/33, Enclosure I.

³ *Ibid*, Enclosure II.

⁴ *Cf.* Madda Khel Tanni cases (A. S. LVIII, 212.)

⁵ *Cf.* Wazir-Mahsud incursion into Khost, 1933, paragraph 916.

⁶ Tazi Khel bombing case (Afghan Précis 1927, paragraph 237).

⁷ Kurram-Khost Commission, para. 1126—1128.

⁸ *Cf.* Bora-Khel raids into Khost, para. 968.

⁹ *Cf.* Khyber Sector, para. 1132.

¹⁰ Letter from I. O., London, No. P. Z.-2990/35, dated 30th May 1935 (A. S. LVII, 29A).

should not be taken up by the Joint Commission, but that claimants should first seek redress in the country of the cause of origin¹.

Civil cases were similarly excluded from the proceedings of the Kurram-Khost² and Chaman Commissions of 1936.

1122. Disposal of Women.—The Government of India does not authorise its representatives to agree to a settlement providing for the handing over of a woman to a man unless they are satisfied that the woman goes of her own free will³.

PRINCIPLES AND RATES OF COMPENSATION.

1123. The Principles stated in paragraph 452 of the Afghan Précis (1927) hold good.

They are re-stated as follows, with the addition of recent precedents :—

1. “Regular Troops—Compensation is not claimed for casualties to regular troops, including Frontier Corps.

Precedent (1) The Barshor Raid (See telegram No. 1096, dated the 3rd September 1923) from the Government of India to His Majesty's Minister, Kabul (A. S. VIII, 227).

(2) Invasion of the Kurram by Afghan Tribal lashkars in 1930 (See A. S. XXXVI, 196).

(3) Casualties caused by Afghan subjects to British Troops during the Mohmand operations of 1935, especially on 30th September 1935. (For complicity of Afghan subjects, see A. S. LVIII, 179).

(4) Casualties caused to Zhob Levy Corps in attack by Ghilzais on Nimparao Post, Baluchistan in 1933 (See paragraph 918) ”.

N.B.—In the two latter cases there were special reasons why no claim for compensation was made. The reason in the case of the attack on Nimparao Post was that the Government of India felt that the attack was largely due to a new order which they themselves had promulgated. The reasons for making no claim after the Mohmand operations were partly general political reasons, partly that the Afghan Government had done its best to control its own tribes, and partly that the tribesmen's action is an anticipated and almost inevitable result of any forward move by the Government of India in that area, since they regard such a move as a threat to their own, or their co-religionists' independence.

2. Government arms and equipment.

The article lost or one similar to it is claimed, or in default of these a fixed sum per article.

Precedents (1) Barshor, Spinchilla and Kurram raids [See Kabul telegram No. 141, dated 19th September 1923 (A. S. VIII, 283)].

(2) Claim for three rifles accepted by the Afghan Government in proceedings of Kurram Khost Commission 1933 (See Despatch No. 23, from Minister, Kabul, dated the 26th February 1935).

Note.—For reasons already mentioned no claim was made for Government rifles lost during the Mohmand Operations of 1935, particularly on 30th September 1935, though a number are known to have been taken by Afghan subjects.

3. ‘Tribal Sepoys’ and Private Persons.

Compensation is claimable for casualties to these.

Precedents : Tribal Sepoys

(1) Kurram Case (See A. S. XII, 175).

(2) Invasion of Kurram 1930⁴.

Pale's attack on Mail lorry 1935⁵.

Private Persons.

¹ Para. 8 of enclosure to S. No. 73 of File No. 241-F/33.

² Cf. telegram from Min., Kabul, No. 571, dated 24th August 1935 (A. S. LVII, 242) and Express letter from Norwef, No. 3204-05-P. C./1572-P. S., dated 27th/28th September 1935 (A. S. LVIII, 153).

³ Telegram to Baluchistan, Quetta No. 1193, dated 18th May 1936 (A. S. LX, 80).

⁴ Para. 915 and (A. S. XXXVI, 196).

⁵ Paras. 1115 to 1117 and memorandum to Min., Kabul, No. F.-201/F/35 of 15th August 1935 (A. S. LVII, 190).

Precedents :

(1) Tazi Khel and Abazai cases (See A. S. VIII, 37).

(2) Kurram invasion of 1930¹. Pale's attack on Mail lorry².

4. Private Property.

Compensation is claimed for loss of private property.

Precedents :

(1) Tazi Khel, Spinchilla, Abazai cases (See A. S. VIII, 37 and 283).

(2) Pale's attack on Mail Lorry².

Most of the cases taken up in the three big Joint Commissions, Kurram Khost 1933 and 1936 and Chaman 1936, have been of this nature.

If the loss is caused in the territory of a third Power it is for that Power to put forward the claim.

Precedent : Duzdap Raid (A. S. XIV, 108A).

N.B.—No claim for private property was made in connection with the Kurram invasion of 1930, but this was considered rather a concession and attention was drawn to it in the presentation of the total claim³.

1124. **The rates of compensation** detailed on page 229 of the Afghan Précis of 1927 are no longer in force. It has been decided instead that,

“ Rates of compensation will be fixed in each area by the Commissioners at their first meeting as those to be followed in the cases then before them. These rates will be uniform for cases brought by either side in that area. If the Commissioners are unable to agree they will refer the question to their respective Governments. When the rates have been so fixed for any area by the first Commission to be held after the present date (28th September 1934) the same rates will, in the absence of any strong reason to the contrary in any particular case, be followed in subsequent Commissions held in that area. No discrimination will be made as regards the amount of compensation between casualties caused by armed forces of either Government and those caused by private individuals ”⁴.

The procedure contemplated was in fact that adopted on their own initiative by the Joint Commissioners in the Kurram Khost Commission of 1933. It was proposed to the Afghan Foreign Minister as the regular procedure for all future Commissions in June 1936,⁵ and formally accepted by him in reply⁶. The rate of exchange was not so easily decided, owing to the reluctance of the Afghan Government to admit that ‘Kabuli’ rupees still existed. In August 1936 the Government of India agreed that as a general rule for future Commissions decrees should be recorded both in Afghani and in Indian rupees, and that the receiving Government should be paid in its own coin⁷.

1125. **Claims for damage and loss due to Rebellion.**—The following principles observed in the presentation of claims for loss and damage arising out of the rebellion may be conveniently added here.

1. Damage to property of the British Government.

An estimate of Rs. 93,000 odd was prepared on account of damage to the Legation, but for reasons detailed in Sir Richard Maconachie's demi-official letter No. 83 of 10th March 1931 (File No. 644/F./31) no claim was preferred⁸.

¹ Para. 915 and A. S. XXXVI, 196.

² Paras. 1115 to 1117 and (A. S. LVII, 190).

³ Letter from Min., Kabul, to Afghan Foreign Min., No. 413 of 31st October 1930 (A. S. XXXVI, 196).

⁴ F. 241-F/33, page 17 of notes.

⁵ Memorandum from Counsellor, B. L. K., No. 1016, dated 12th June 1936 (A. S. LX, 169).

⁶ Memorandum from the Counsellor, B. L. K., No. 1016, dated 17th June 1936 (A. S. LX, 186, Enclosure I).

⁷ Memorandum from A. G. G. and C. C. in Baluchistan, No. 910-P. Z., dated 19th August 1936 (A. S. LX, 295).

⁸ Demi-official No. D.-1714-F./31, dated 30th May 1931, to Min., Kabul (File No. 644-F/31).

No claim was preferred, nor apparently even prepared, on account of destruction of Government stores in the Consulate, Jalalabad, though the loss was estimated at Rs. 4,000¹.

2. Losses to individuals who were in Afghanistan in the service of the Indian Government, or for connected purposes.

The Government of India made these losses good to the sufferers and later prepared a claim totalling over Rs. 70,000. For reasons given in the letter already quoted the claim was not preferred.

3. Losses of individuals whose presence in Afghanistan was not due to reasons for which the Government of India was in any way responsible.

The following principles were stated :—

- (i) “ It is an accepted principle of international law that individuals who enter foreign territory must take the risk of an outbreak of insurrections or riots no less than the risk of the outbreak of other calamities. It is only where a state by exercising due diligence could have prevented or immediately crushed an insurrection or riot and failed to do so that it can be made responsible for the acts of insurgents or rioters².
- (ii) Cases in which an element of contract subsisted between the Afghan Government of the day and the person preferring the claim stand however on a different footing and, where these appear to be substantiated the Government of India propose to support them to the Afghan Government through His Majesty's Minister, Kabul.”³

Claims were pressed on behalf of British subjects for arrears of pay due from the Afghan Government for King Amanullah's time, but no payment was obtained until 1934. Even then payment was not to the full extent of the claims⁴.

1126. **The Kurram Khost Joint Commission of 1933.**—The Kurram Khost Commission of 1933 was a sequel to action taken by Sir Richard Maconachie when, as Political Agent, Kurram in 1929 he effected a truce between Turis of the Kurram, and Jajis of Afghan territory to last for two years or until the re-establishment of settled Government in Afghanistan.⁵ The invasion of the Kurram during 1930 put any joint commission during that year out of the question. The situation during 1931 was little better, and raids and offences were committed in numbers. In December 1931 there was a meeting between the Administrator of the Southern Province and the Political Agent, Kurram, as a result of which an agreement was concluded providing for the maintenance of friendly relations between the Afghan and Kurram tribes and the early amicable settlement of outstanding cases⁶. A Joint Commission for this purpose was to assemble in September 1932, and a similar Joint Commission every two years thereafter. Little notice was taken of this proposal in Kabul, and it is doubtful if the Afghan Government were even aware of the agreement for the sitting of a Joint Commission⁷. Matters went from bad to worse during 1932, but showed a slight improvement during 1933. In the middle of that year the long-overdue Joint Commission at last met.

The principle of the acceptance of international liability by the enforcement of tribal responsibility was accepted by the Afghan Government after the Commission had actually begun its sittings⁸.

¹ See Min.'s memorandum No. 37, dated Simla, 16th April 1929 (A. S. XXVII, 706).

² Memorandum to C. C., N. W. F. P., No. F.-92-F/31, dated 11th July 1931 (A. S. XLI, 5-A).

³ *Ibid.*

⁴ Enclosure to Kabul Despatch No. 22, dated 22nd February 1935 (A. S. LV, 260).

⁵ (A. S. XXVII, 668-A.)

⁶ N. W. F. P., memorandum No. 41/690-P. C. of 5th January 1932 (A. S. XLIII, 22).

⁷ Annual Report for 1932, para. 240 (A. S. XLVII, 206).

⁸ Para. 1101.

1127. **Report of Proceedings.**—The following is a brief summary of the report on the proceedings¹ :—

Paragraphs 1-2.—Reference to previous proceedings and to recent events.

Paragraph 3.—The principle of Government Responsibility.

Paragraph 5.—Lists of cases. A total of 432 cases was submitted by the Afghan Commissioners and 141 from the Kurram.

Paragraph 6.—Principles of investigation.

Paragraph 7.—Rates of compensation. The rates of compensation were not those adopted by the 1910 Joint Commission, nor those recorded in paragraph 452 (5) of the Afghan Précis 1927, but were fixed by tribal agreement between the tribes which were parties to the Commission. The rates fixed for the future were not confirmed by the two Governments for permanent adoption and are not reproduced here.

These rates were not insisted on, but formed in each case a basis for negotiation.

Paragraph 8.—*Exclusion of civil cases.*—At the request of leaders of both tribes all claims for money, recovery of debts etc., were struck off, and the plaintiffs were instructed to seek redress in the courts of the country in which the cause of action had arisen. Experience was to decide whether or not this arrangement should apply to future Commissions. (The same procedure was in fact observed for the Kurram-Khost Commission of 1936 and the Chaman Commission of the same year.)

Paragraph 9.—*Procedure for settlement of cases.*—Cases were grouped tribally and handed over to full tribal jirgas for settlement. By this means it was possible to dispose of 350 cases in a fortnight.

Paragraph 10.—*Territorial Responsibility.*—The acceptance by the Afghan Government in Kabul of the principle of the enforcement of territorial responsibility was not implemented by the Commission. After prolonged argument it became clear that, unless some compromise was arranged, all cases which could not be settled otherwise than by the enforcement of territorial responsibility, would never be settled at all. The Political Agent, therefore agreed to a compromise whereby all remaining Kurram claims were to be withdrawn in return for the payment of Rs. 7,550 Kabuli and the withdrawal by the Afghan Commissioners of all remaining Afghan claims, and for their acceptance on behalf of their Government of liability either to return three Government rifles, the property of the Government of India, or to pay Rs. 9,000 Kabuli, their accepted cost.

Paragraph 13.—Cases postponed for various reasons.

Paragraphs 14-16.—*Tribal Agreement.*—Two agreements between the subjects of the two Governments were concluded. The first, Appendix I to the Report, acknowledges the settlement of all cases which had arisen since King Nadir Shah's accession, renews the truce, requests the appointment of another Commission without fail after two years, and recommends to the two Governments, the sanction of the further agreement contained in Appendix II. Appendix II contains a joint agreement of the tribes on each side of the border for certain procedure to be observed between them in the future.

Paragraph 19.—*Outlaws.*—Certain arrangements were made for the readmission of outlaws or their settlement near the border.

Balance of claim.—After setting off the decrees due from residents of the Kurram against those due from Afghan subjects, the following remained due :—

(i) Rs. 18,038 Kabuli due to Kurram tribesmen.

(ii) Three Government rifles due to the Government of India.

1128. **Ratification and Payment of Balance Due.**—The steps required to bring the work of the Joint Commission to a satisfactory ending were

(i) The ratification of its recommendations by both Governments.

¹ File No. 241-F/33, S. No. 73.

- (ii) The payment of Rs. 18,038 Kabuli by the Afghan Government.
- (iii) The recovery and handing over by the Afghan Government of the three Government rifles.

The payment of Rs. 18,038 Kabuli by the Afghan Government was regarded as particularly important since the assumption of each Government of responsibility for the acts of its tribesmen in international cases would be shown by its willingness to pay the decretal amounts on their behalf and subsequently to recover the amounts so paid from the actual offenders¹. As negotiations were prolonged the sum was first advanced to the decree holders from Indian Revenues, but the Afghan Government paid up eventually and accounts were adjusted accordingly. Payment was made by the Afghan Government in August 1935² after much difficulty in settling the rate of exchange to be observed.

The ratification of the proceedings of the Commission, with slight modifications, is described in despatch No. 23 from His Majesty's Minister, Kabul, to the Foreign Secretary dated 26th February 1935³. The necessary notes were exchanged on 19th February 1935. The agreement was in most respects a full 'ratification and confirmation' of the proceedings and proposals of the Commission. As the question of the fixation of rates in future proceedings was still under discussion, Appendix VI of the original report was not confirmed as fixing the rates of compensation to be observed by future Joint Commissions.

The Afghan Government accepted liability for return of the three Government rifles but not for payment of cash in default. The rifles had still not been returned by June 1936, when the next Joint Commission sat⁴, nor, it appears, at the time of compilation of this Volume.

1129. The Kurram Khost Commission of 1936.—By the terms of the Joint Commission of 1933, the next Kurram Khost Commission was due in September 1935. The Government of India was prepared for it to be held in that month⁵, but for one reason and another it had to be postponed till the following summer. The Commission met in June 1936. Before it met the questions of rates of compensation, rates of exchange, and territorial responsibility and the powers of the Commissioners were the subject of lengthy discussion between the two Governments. With regard to rates of compensation, it was agreed that rates were to be fixed by the Commission as soon as it met⁶. Acceptance of the principle of territorial responsibility was re-affirmed in the Afghan Foreign Minister's letter of 18th June 1936⁷, in which he gave an assurance that the necessary orders had been issued to the Afghan Commissioners. Rates of exchange were agreed upon for this Commission only, but for the future the Afghan Government wished that there should be no mention of Kabuli rupees, but that decrees should be awarded both in Indian and in Afghan currency⁸ and that the receiving Government should be paid in its own coin.

The rates of compensation fixed had only slight differences from those fixed in 1933, and were fixed both in Indian and in Afghani Rupees, with no mention of Kabuli coin⁹. They were specifically stated to be 'for this Commission only'.

The proceedings¹⁰ had not been ratified at the time of compilation of this Volume.

¹ Note dated 7th November 1933 written by Colonel Fraser Tytler while officiating as Foreign Secretary.

² Annual Report for 1935 (A. S. LIX, 226, paragraph 259).

³ (A. S. LV, 270.)

⁴ Memorandum from Counsellor, B. L. K., No. 474/V., dated 25th June 1936 (A. S. LX, 202).

⁵ Telegram to I. O., London, No. 1548, dated 24th June 1935 (A. S. LVII, 44).

⁶ Memorandum from Counsellor, B. L. K., No. 1016, dated 12th June 1936 (A. S. LX, 169).

⁷ Memorandum from Counsellor, B. L. K., No. 921, dated 20th June 1936 (A. S. LX, 187).

⁸ Memorandum from Counsellor, B. L. K., No. 1016, dated 17th June 1936 (A. S. LX, 186).

⁹ Appendix A to Enclosure to S. No. 265 of A. S. LX.

¹⁰ Enclosure to S. No. 265 of A. S. LX.

On this occasion cases which were not on the lists exchanged in Kabul were taken up on being presented by the Afghan Commissioners¹.

The balance of accounts left a sum of Rs. 3,922 Afghani or Rs. 1,120-9-0 Indian due from the Kurram to Afghan subjects².

1130. The Principle of Territorial Responsibility Implemented.—An important feature of the proceedings of the 1936 Commission was that the Afghan Commissioners implemented the principle of Territorial Responsibility to an extent which their predecessors in 1933 had avoided. Decrees on the principle of Territorial Responsibility were passed against tribes of Afghan as well as British territory³.

1131. The Chaman Commission of 1936.—With a view to the settlement of a number of outstanding cases in which parties from the territories of both were concerned, the two governments agreed early in 1935 on the holding of a joint commission on the Baluchistan border⁴.

The only new question raised by this Commission related to the practice of awarding girls as part of a settlement. Among the principles on which the Joint Commissioners agreed at their preliminary discussions were (i) that girls must be given in addition to money compensation for certain offences, and (ii) that an adulterous wife must be returned to her husband on his providing security for her safety⁵. The Government of India, however, would not agree to their representative giving effect to such settlements unless he was satisfied that the women concerned went of their own free will.⁶ The Afghan Government on the other hand were unwilling to agree to any principle which precluded the handing back of an erring wife to her husband⁷. The Commission finished before the point was decided, and did not include any cases of the nature which had formed the subject of the dispute no action was considered necessary in regard to the Commission's proceedings. Nevertheless the Government of India adhered to their original position⁸, and agreed that the matter should be taken up as a separate issue.

The Report of the Commission is at Afghan Series LXI, Serial No. 18-A. The Commissioners fixed their own rate of compensation. Calculations of exchange rates were made at Rs. 365 Afghani to Rs. 100 Indian, and no mention was made of Kabuli rupees. For purposes of transfer any decretal balance at the end of the Commission was to be made at the current rate of exchange, and decree holders were to be paid in their own currency. The final balancing of accounts left a sum of Rs. (Afghani) 44,711-93, or Rs. 12,249 Indian to be recovered from Baluchistan and transferred to the Afghan Government for distribution to decree-holders.

The Commission followed the practice adopted in the Kurram of excluding civil cases⁹. The Afghan Commissioners would not enforce the principle of Territorial Responsibility.

The Proceedings had not been ratified by the time this volume was compiled.

1132. Informal Joint Commission in the Khyber Area.—An informal Joint Commission was held in the Khyber area for the settlement of three pending international cases and for the general betterment of border relations. The Government of India's instructions in the matter are in memorandum No. F.405-F/34 of 29th March 1935,¹⁰ and the Political Agent, Khyber's account

¹ Memorandum from N. W. F. P. Government, No. 4543-P.N./1572-P.S.II, dated 13th July 1936 (A. S. LX, 228).

² (A. S. LXI, 154.)

³ Report on Kurram-Khost Commission of 1936, paragraph 5 (A. S. LX, Enclosure to S. No. 265).

⁴ Memorandum from Min., Kabul, No. 766, dated 20th February 1935 (A. S. LV, 245).

⁵ Memorandum from A. G. G. and C. C. in Baluchistan, No. 838-P., dated 6th May 1936 (A. S. LX, 59).

⁶ Telegram to Baluchistan, Quetta, No. 1193, dated 18th May 1936 (A. S. LX, 80).

⁷ Telegram from Min., Kabul, No. 455, dated 5th July 1936 (A. S. LX, 213).

⁸ Telegram to Min., Kabul, No. 145, dated 8th July 1936 (A. S. LX, 219).

⁹ Cf., A. S. (LVII, 242).

¹⁰ Express letter to Min., Kabul, No. F.-405-F./34, dated 29th March 1935 (A. S. LVI, 89).

of his meeting with the Afghan Commissioner, Abdul Hakim Khan, in the enclosure to Serial No. 228, Afghan Series LIX. The meeting took place at Torkham on the Afghan side of the border on 10th March 1936.

1133. Proposed appointment of Frontier Commissars.—As mentioned elsewhere¹ the Afghan Government favoured the appointment of permanent Commissars for the joint settlement of Frontier Disputes. Such appointments had been made both on the Persian and on the Russian Frontiers, and King Nadir Shah's Government had proposed that similar appointments be made on the Indian Frontier. The Government of India, after consulting the Frontier administrations, had not viewed the scheme with favour and had decided to wait and see how it worked on the other Frontiers. This was in 1932. In 1934 the Government of India again gave the matter their consideration and recommended to the Secretary of State for India that His Majesty's Government should now approve the scheme in principle and that His Majesty's Minister at Kabul should inform the Afghan Government and proceed with the discussion of details. The Frontier Administration still viewed the proposals without enthusiasm and pointed out many drawbacks to it², but the arguments which weighed with the Government of India were as follows :—

“ On the one hand it is desirable to meet what was obviously a sincere attempt on the part of the Afghan Government to provide a permanent agency for the speedy settlement of border incidents and disputes of local significance. The desirability of such an agency has been amply demonstrated during the last few weeks by the difficulties, which have arisen over incidents on the Kurram border, in the Khyber Sector and also on the Tochi Khost border. In order to secure a settlement of one of these incidents it has been necessary to ask His Majesty's Minister to suggest to the Afghan Government the appointment of a special Commission, to which they have only agreed with considerable reluctance. Every request of this kind tends to bring up again the suggestion made by the Afghan Government two years ago for permanent Commissars, who unlike the Governors or local Hakims would have both the time and the qualifications for dealing expeditiously with such cases. On the other hand it is obvious that Commissars of either nation can only function effectively in areas where both the Afghan and Indian Governments exercise control and jurisdiction. The extent of such control and jurisdiction on the Afghan side of the Durand Line would appear to be small and confined to very restricted areas and as will appear from Sir Ralph Griffith's letter³ of the 5th May 1934 the same is true of the Indian side of the Frontier. The question therefore arises whether it is worth our while, in order to secure the speedy settlement of border disputes in certain isolated areas, to commit ourselves to a system along the whole frontier, which obviously cannot work except in those areas and is calculated to betray to the Afghan Government the weakness of our control and the complete absence of our jurisdiction in certain important tracts of tribal territory on the Indian side of the Durand Line. The Government of India are of opinion that this question must be answered in the affirmative and in reaching this conclusion they have been influenced mainly by the following considerations. Tribal disputes of major or minor importance will certainly continue to occur and the present system by which in most areas such disputes are settled tribally without the intervention of either Government cannot survive indefinitely. The Afghan Government, possibly with a view to extending

¹ Para. 910.

² In F.-479-F/33.

³ *Ibid.*

their influence and control over their own tribal elements have shown recently an increasing tendency to make diplomatic protests on behalf of their subjects, who allege grievances against our tribesmen. Such protests cannot be ignored nor can the necessary enquiries be held without the co-operation of Afghan officials with the British political authorities. Joint *Jirgas* and Commissions are cumbrous and frequently impracticable and it therefore seems wiser to acquiesce in a standing arrangement, which the Afghan Government have themselves suggested. The practical difficulties attending the working of the Commissar Scheme in certain areas will soon become apparent to the Afghan Government and it need not be anticipated that they will attempt to apply the system in a manner or to an extent which will cause any serious inconvenience to the Indian political officer. It is moreover probable that the system will in course of time assist both Governments to extend their control and jurisdiction over their tribesmen and thereby eliminate some of the existing causes of friction between them.

Another important consideration which has influenced the Government of India in coming to this decision is the recent tendency of the Afghan Government to interfere with our tribesmen. Several instances have recently been reported by local political officers of direct communication between Afghan officials and tribal leaders residing on the British side of the Durand Line. Some of the latter are also known to have visited Afghan officials whether of their own accord or in obedience to an Afghan summons is not clear. These activities denote a regrettable departure from the correct behaviour, which the Prime Minister has frequently assured His Majesty's Minister that he desires to maintain, and are possibly due merely to the extreme anxiety of the local Afghan officials to secure the arrest of "Pak" and not to any change of policy by the Prime Minister. However this may be, it is obviously desirable to check this tendency by all the means in our power and it appears to the Government of India that one way to check it is to demonstrate to the Afghan Government that we are anxious to co-operate with them in the settlement of tribal disputes¹."

1134. The Government of India wished to be consulted with regard to details before any formal agreement was reached and wished to make the following points clear for the information of His Majesty's Minister :—

- " (a) They were not prepared to appoint special whole-time officers as Commissars on the Indian side of the Durand Line and would ordinarily entrust those duties to the Political Agent or Assistant Political Officer, who was in political charge of the area concerned.
- (b) They could not at present assume responsibility for the safety of an Afghan Commissar in any part of their tribal area adjacent to the Durand Line except the Kurram Valley and the Chaman border and did not consider that the Commissar system was workable at the start except in those areas and perhaps to a limited extent in the Khyber Sector of the Frontier and on the Tochi-Khost border.
- (c) They could not agree to any interference by Afghan Commissars with the settlement of offences committed against Government in British tribal area either by British Indian tribesmen or by migratory Afghan tribes temporarily resident on the British Indian side of the Durand Line. Similarly they would not agree to any interference in the settlement of disputes in British

¹ Letter to I. O., London, No. F.-479-F/33, dated 29th June 1934 (A. S. LIII, 293).

tribal area between British tribesmen or between British tribesmen on the one hand and migratory Afghan tribesmen on the other.”¹

His Majesty's Government accepted the arguments advanced by the Government of India and instructed His Majesty's Minister to proceed with the discussion of details and the negotiation of a formal agreement. He was to keep the Government of India informed of the course of negotiations and to bear in mind the limitations mentioned by them. He should also, it was suggested, try to avoid the use of the word “Commissar”, which had objectionable associations and might imply the appointment of special whole-time officers. The Foreign Office letter of 30th July 1934 concluded as follows :—

“Whether the agreement would be actually expressed as applying to the Anglo-Afghan frontier in general or at any rate in the first instance—to certain areas only, is a question which can perhaps be best considered after the negotiations have been begun. But in the former event the Afghan Government should appreciate that the agreement cannot in practice be expected to work save in those restricted areas mentioned by the Government of India, where both Governments exercise some degree of effective control. It should also be understood that the scheme must be regarded in its initial stages as an experimental measure which may require modification and revision in the light of practical experience of its working, but which may lead, if it proves successful, to a more extended system of co-operation along a greater part of the Durand Line than that to which it may be expected to apply in practice at its inception.”²

1135. A draft agreement was prepared by Sir Richard Maconachie before leaving Kabul, but in January 1937 had not yet been brought to a form in which it would be acceptable to all parties.

Liability of Afghans to Barampta (paragraphs 453—458 of Afghan Précis of 1927).

1136. The following rules were laid down in 1922 :—

“The basic position is that Afghan subjects, while in India, have no ex-territorial rights and are subject to the ordinary law of British India, including the Frontier Crimes Regulation.

It is not however always expedient to set all the machinery of the law in motion against Afghan subjects without the previous knowledge and consent of the Government of India who may require to refer to the British Minister at Kabul.

Offences committed by Afghan subjects on the Indian side of the Durand Line fall into three categories :—

- (a) raids and other offences committed by Afghan subjects, operating from a base in Afghan territory ;
- (b) offences committed by Afghan subjects, of the class generically known as Powindahs, temporarily residing in India ;
- (c) other offences.

Nothing in these rules affects the authority of frontier officers to take at their own discretion any measures against raiders, or persons reasonably believed to be raiders, operating from a base in Afghanistan, while the raid is actually in progress, which would be taken against raiders from any other quarter.

All such raids shall immediately be reported to the Government of India by telegram.

Save in circumstances where delay would render effective action impossible, action under Section 21, Frontier Crimes Regulation ; that is, the enforcement of collective tribal responsibility by *barampta*

¹ Letter to I. O., London, No. F.-479-F/33, dated 29th June 1934 (A. S. LIII, 293).

² Despatch from F. O., London, to Min., Kabul, No. 63 (N.-4119/1502/97), dated 30th July 1934 A. S. LIV, 137).

against Afghan subjects operating from a base in Afghanistan shall not be taken on account of such raids without the previous sanction of the Government of India, so that diplomatic representation may be made at Kabul, if necessary.

Action under Section 21 of the Frontier Crimes Regulations, or any other Section of the Frontier Crimes Regulation, may be freely taken against Afghan subjects such as the Suleman Khel, Nasir, Kharotis, etc., generically classed as Powindahs, during the period of their residence in India, with the sole proviso that warrants under Section 21, Frontier Crimes Regulation, for service outside the limits of the Local Administration under which the issuing Magistrate is serving, shall not be issued without the previous sanction of the Government of India.

Of these the most important are offences committed by (a) Kandaharis (b) Afghan Achakzai, in Baluchistan.

Action under Section 21, Frontier Crimes Regulation, shall not be taken against Kandaharis without the previous sanction of the Government of India.

Ordinary offences by Afghan Achakzai may be dealt with as if the offenders were British Achakzai. Offences of a serious character, calling for punitive measures on an extended scale likely to attract the attention of the Afghan Government, should be reported for orders to the Government of India".¹

1137. Principles to be observed.—These rules were supplemented by the following instructions in 1924.

"²The Government of India have recently re-examined the question of the extent of the propriety of the employment of *barampta* against Afghan subjects, and, though they are not satisfied that the rules framed in 1922 require formal revision, they have decided that the following principles should be observed in interpreting them, viz. :—

No *barampta* of Afghan subjects should be instituted except for the purpose of securing compensation for damage done, and then only if there is no intention of making diplomatic representations at Kabul.

Barampta should never be resorted to as a means of bringing pressure to bear on the Afghan Government.

In the case of Khassadars the same principles should be applied in employing *barampta*, as in instances where the victim is not a Khassadar".³

1138. Modification in application of the Frontier Crimes Regulation.—An opinion has since been expressed that warrants of arrest issued under section 21, Frontier Crimes Regulation, for service in Bengal and other places to which the Frontier Crimes Regulation has not been applied, might not be valid in law.⁴ Such warrants were issued in 1922 by the District Magistrate, Zhob, and executed without challenge, but the practice should not now be repeated.

RECENT EXAMPLES OF BARAMPTA OF AFGHAN SUBJECTS.

1139. Murder of a Gurkha Sepoy on the Baluchistan border, 19th September 1930.—To bring pressure to bear on the criminal's tribe for his surrender, the local Baluchistan frontier authorities arrested a number of Afghan subjects who were his fellow-tribesmen. On this occasion the Government of India were of opinion that, as the local British authorities had at the same time been in communication with the local Afghan authorities, their action in effecting this 'barampta' without previous reference to the Government of India had not been in accordance with the spirit of the Government of India's instructions.⁵

¹ Afghan Précis of 1927, para. 455.

² Afghan Précis 1927, para. 458.

³ Memorandum 197 (31st May 1924) (F. 197-F/24, 14).

⁴ Memorandum to N.-W. F. P. Government, No. F.-25-F/34, dated 18th June 1934 (A. S. LIII, 252).

⁵ Letter No. 583-F/30, dated 19th May 1931 (F. 583-F/30, S. No. 30).

1140. **Ghilzai attack on Tochi Scouts.**—In connection with the attack by Torobo Ghilzais on the Tochi Scouts in January 1934, large numbers of Ghilzais of allied sections were arrested, and their camels seized, throughout the Frontier Province (paragraph 1036). The Afghan Government made an oral protest at the wholesale nature of the arrests, and continued to make oral representations for the next year until the last of the arrested persons had been released. The Government of India maintained their right to deal with these persons as they thought fit, and releases were only made in the normal course of procedure.¹

1141. **Damage caused by Shinwaris to the British Consulate at Jalalabad during the Rebellion.**—A suggestion that 'barampta' should be applied to Afghan Shinwari tribesmen in order to effect payment of compensation by their tribe for the wilful damage done by them to the British Consulate at Jalalabad during the rebellion, was negatived. There were several reasons for this, one of which was that with the apparent emergence of an established Government at Kabul the question of compensation became one which could more properly be settled through diplomatic channels.²

1142. **Liability of Afghan Tribesmen to 'barampta' after the invasion of the Kurram, 1930.**—After their invasion of the Kurram in 1930 Afghan tribesmen clearly expected to be subjected to 'barampta' when they attempted to re-enter the Valley in the course of their seasonal migration. Since they stayed away from British territory of their own accord, the question of arresting them did not arise. 'Barampta' was however under consideration, and would probably have been applied if negotiations with the Afghan Government had not been successfully concluded.³ On the Afghan Government's admitting liability to pay compensation they were told that their tribesmen might re-enter the Valley without fear.⁴

1143. **Should raids into Foreign Territory be made punishable.**—This question is discussed in paragraph 451 of the Afghan Précis of 1927. The answer is no more decided now than it was then. It may, however, be added that there is a clause in the Government of India's agreement with the Madda Khel, which reads as follows :—

"That the tribe will be of good behaviour towards their neighbours in Afghanistan".

1144. During the Afghan Rebellion of 1929 the Political Agent, Kurram, who was also the compiler of the Afghan Précis of 1927, recovered cattle raided by Kurram tribesmen from across the border, restored them to their owners, and punished the ringleaders of the raid.⁵

1145. The Government of India did not impose any direct personal punishment on Mahsuds and Wazirs for their incursion into Khost in 1933, but a fine of 600 rifles at the rate of one rifle per man who joined the lashkar was exacted from the revenue-paying area, and security rifles to the number of 60 in North Waziristan, 233 from the Mahsuds, and 123 from the Ahmadzai Wazirs were taken in deposit against a recurrence.

1146. The question of punishment of the murderers of Mohammad Afzal in the Kurram in March 1934⁶ was raised between the Government of India and His Majesty's Minister, Kabul, but no request was made to the Afghan Government.

¹ Cf. Telegram to Min., Kabul, No. 63-K., dated 12th March 1934 (A. S. LII, 270).

² Express letter from N. W. F. P., No. 1473-P. S./709, dated 8th June 1929 (A. S. XXVII, 929).

³ Memorandum from N. W. F. P., No. 3955-P. S., dated 7th October 1930 (A. S. XXXV, 330A).

⁴ Kabul Despatch No. 96, dated 27th November 1930 (A. S. XXXVII, 38).

⁵ Telegram from N.-W. F. P., No. 48-C., dated 26th March 1929 (A. S. XXVII, 619-A).

⁶ Para. 1097.

CHAPTER XV.

REFUGEES, ABSCONDERS AND HOSTILE AGENTS.

Scheme of the Note.—

1147. The following scheme is adopted from Chapter XXVI of the Afghan Précis of 1927 :—

(1) Political Refugees.—

A.—From Afghanistan to India.

- (i) Those Afghans who owe their presence in India to political developments, for which the British Government has been in some degree responsible.
- (ii) Those whose presence in India is due to political developments in Afghanistan, or to personal reasons, with which the British Government has had nothing to do.
- (iii) Those expelled by order of the Afghan Government.

B.—From India to Afghanistan.

- (i) Those persons, domiciled on the British side of the line, who owe their presence in Afghanistan to political developments, for which the Afghan Government has been in some degree responsible :—
 - (a) The Mahajirin proper.
 - (b) The Indian Revolutionaries.
 - (c) The colonies of British tribesmen, who have been granted land in Afghanistan.
 - (d) The deserters from the Frontier Militias, who were enrolled in the Khost Militia.
 - (ii) Those who owe their presence in Afghanistan to political developments, or to personal reasons, with which the Afghan Government has had nothing to do.
 - (iii) Those expelled by order of the Government of India.
- (2) Heinous Criminals.
-

1148. **Principles.**—The principles of treatment by the Indian and Afghan Governments respectively of refugees from the territory of the other are still not covered by any comprehensive agreement but are discoverable from the practice in particular cases.

(1) POLITICAL REFUGEES.

A.—FROM AFGHANISTAN TO INDIA.

(i) **Those Afghans who owe their presence in India to political developments, for which the British Government has been in some degree responsible.**

1149. The position is unchanged. Some of the refugees in question occasionally escape and make their way towards Afghanistan. In such cases the Government of India immediately informs the Afghan Government with expressions of its regret, and makes every effort to recapture the absconding refugee. Examples—Sardars Umar Khan¹ and Muhammad Afzal Khan.² The escape of Sardar Umar Khan just as the rebellion was in full swing, so alarmed the Government of India that they had a mind to send all the others to Burma.³

The Afghan Prime Minister made it clear to the British Minister in March 1936 that he hoped the Government of India would not relax their control over any of these political refugees.⁴

(ii) **Those whose presence in India is due to political developments in Afghanistan, or to personal reasons with which the British Government has had nothing to do.**⁵

1150. Additions to the examples quoted in paragraph 502 (ii) of the Afghan Précis of 1927 include the following :—

The Koh-i-Daman Refugees (paragraph 897).—These were fugitive rebels first arrested in Peshawar under the Foreigners Act. Their case was reported to the Afghan Government who asked for their removal from the Frontier⁶. They were first dealt with under the Frontier Crimes Regulation and later under Regulation III of 1818. They are still detained in various parts of India and are in receipt of allowances from the Indian Government.⁷

(2) **Ghaus-ud-Din.**—Ghaus-ud-Din, Ghilzai, was arrested in Parachinar in May 1930 at the request of King Nadir Shah on account of disloyal intrigues which had come to the latter's notice, and was removed by the Government of India to the Central Provinces⁸ and then to Burma⁹. At the moment of writing he is under surveillance in the Madras Presidency. He has been offered certain terms by the Afghan Government, but is not willing to accept them, and until he does so the Afghan Government do not wish him to be allowed to come any nearer Afghanistan than the southern boundary of the United Provinces.¹⁰ He is in receipt of an allowance of Rs. 500 per mensem¹¹ for himself and his family.

(3) S. Abdul Hakim and S. Amin Jan were found by the Frontier Administration to be plotting in Peshawar with Afghan Shinwaris for a Shinwari revolt against the new Afghan Government.¹² They were immediately arrested¹³ and their arrests reported to the Afghan Government. Both have been

¹ Telegram from U. P. Government, No. 262, dated 31st December 1928 (A. S. XXVI, 302).

² Telegram from U. P. Government, No. 545-D., dated 28th March 1930 (A. S. XXXI, 66).

³ Telegram to U. P., Bombay, Baluchistan, N. W. F. P., Bengal and Punjab, No. 118-S., dated 10th January 1929 (A. S. XXVI, 420).

⁴ Letter from Min., Kabul, No. 187, dated 28th March 1936 (A. S. LIX, 259).

⁵ Afghan Précis of 1927, para. 502 (ii).

⁶ A. S. XXXVII, 179, 218, 245.

⁷ See 'Return of State Prisoners detained under warrant during the half year ending 1936.'

⁸ Letter to District Magistrate, Delhi, No. F.-72-F./29, dated 14th January 1930 (A. S. XXX, 118).

⁹ Telegram to Burma, Rangoon, No. 1029-S., dated 5th April 1930 (A. S. XXXI, 73).

¹⁰ See demi-official letter No. 241-(E). from Min., Kabul, dated 20th August 1936, n. p. 1 in F. No. 584-N./36.

¹¹ F. 604-F./34, dated 12th June 1935.

¹² Telegram to I. O., London, No. 621-S., dated 25th February 1930 (A. S. XXX, 274).

¹³ Letter to C. C. & A. G. G., N.-W. F. P., No. F.-308-F./29, dated 6th February 1930 (A. S. XXX, 185).

detained under Regulation III of 1818 and are now in Madras Presidency in receipt of allowances from the Government of India.

(4) **Ahmad Ratib Khan.**—Ahmad Ratib Khan was arrested in Baluchistan in January 1932 on a report from the Afghan Government that he was spreading pro-Amanullah propaganda and promoting agitation against Nadir Shah. A warrant for his detention under Regulation III of 1818 was issued. A month later he was released with the concurrence of the Afghan Government and allowed to leave India for Iran.

1151. **Anti-Afghan Government agitators in British Tribal territory.**—“Pak”, Tor Malang, Lewanai Faqir, etc. in North Waziristan, and the Kotkai Pretender in the Malakand Agency.

The Government of India was willing to go to all lengths, including military and aerial operations against the tribes believed to be harbouring these anti-Afghan agitators. The action taken is described in paragraphs 916-917 and 990.

1152. (iii) **Those expelled by order of the Afghan Government.**—A case of deportation from Afghanistan to India without notice is quoted in paragraph 503 (iii) of the Afghan Précis of 1927. The impropriety of this was brought to the Afghan Government's notice. Since then they have generally given notice of intended deportations, whether of Indians, Afghans or subjects of other nations. The latest re-affirmation of the principle was in June 1936, when the Afghan Government expressed regret for the deportation of two British subjects without prior notice, owing to a mistake by the authorities of the Eastern Province¹.

British Indian Subjects.

Gheramat and Majwar above.

Amir.

Afghan subjects.

In 1931 the Afghan Government asked permission to deport temporarily 4 Afghan subjects of whose activities they disapproved.²

Russian subjects.

(See Afghan Series XLVII, 133 and connected correspondence.)

1153. **Afghan Official List of Exiles.**—A revised list of Afghan subjects abroad, whom the Afghan Government do not wish to be given facilities for returning to Afghanistan without their own express permission was enclosed with the Minister's Secret despatch No. 58, dated 1st May 1936. The list includes forty persons of the pro-Amanullah party, nineteen followers of Bacha-i-Saqqao, Ghaus-ud-Din Khan,³ Bang and his followers,⁴ and Ibrahim Beg and his followers⁵.

B.—FROM INDIA TO AFGHANISTAN.

(i) **Those persons, domiciled on the British side of the line, who owe their presence in Afghanistan to political developments, for which the Afghan Government has been in some degree responsible:—**

1154. (a) **The Mahajirin.**—No change.

(b) **Indian Revolutionaries.**—The Afghan Government dislikes revolutionaries as much as the Government of India and is as severe with them as it can be.

Mahendra Pratap (Afghan Précis of 1927, paragraph 507) was refused admission to Afghanistan by King Amanullah's Government in 1928, but although this prohibition was still in force he was flown to Kabul by the Soviet Air Service in 1929⁶. He left again very shortly and has not returned. He was again heard of in America, and at the time of compilation of this volume is in Japan.

¹ Memo. No. 785 from Counsellor, British Legation, dated 17th June 1936.

² Telegram to Government of Madras & C. P., No. 100-S., dated 9th January 1931 (A. S. XXXVII, 251).

³ Para. 816.

⁴ Para. 898.

⁵ Para. 885.

⁶ Telegram from Assistant Intelligence Officer, Peshawar, No. 157, dated 29th December 1929 (A. S. XXX, 58).

Dr. Giani Autar Singh, a Sikh of Peshawar District with revolutionary tendencies, made his way into Afghanistan in 1927, and after a troubled career there was expelled from the country in 1930¹. He has since been living with the Afridis in Tirah where he is a professed intriguer against both the Afghan and the British Governments². The Afghan Government have suggested his removal from the neighbourhood of the border. The North-West Frontier Province do not consider his influence among the Afridis to be great enough to justify provoking a crisis over him, and the pressure hitherto exercised has not effected his expulsion.

Two other revolutionaries were deported from Afghanistan to Russia in 1934 and two more imprisoned. A fifth was allowed to make terms with the Government of India.³

(c) The colonists.—No change.

(d) Deserters enrolled in the Khost Militia.

The Government of India decided in 1931, as these were now so few, not to bother about them any more.⁴

1155. (ii) **Those who owe their presence in Afghanistan to political developments, or to personal reasons, with which the Afghan Government has had nothing to do.**—In this class is included Mullah Abdul Jalil, an agitator from Bannu who fled first to Tribal territory and then to Afghanistan. His presence anywhere within reach of Wazirs is considered objectionable by the Government of India,⁵ but the Afghan Government are satisfied that they are keeping a strict enough eye on him⁶.

1156. (iii) **Those expelled by order of the Government of India.**—There are still no examples of formal expulsion of Indian subjects from India to Afghanistan, but political pressure on tribes to expel agitators or offenders from their own limits often results in the fugitive taking refuge in Afghanistan⁷.

1157. The deportation of Afghan subjects from India to Afghanistan is governed by the rules contained in Government of India's letter No. F.-884-F./32 of 9th August 1934⁸, the relevant portion of which is as follows :—

“ The Government of India have accepted the principle that the Afghan Government should as far as practicable be given prior notice of the deportation to Afghanistan of Afghan subjects and should be furnished with particulars of the reasons for deportation ; and they have decided that in future prior notice to the Afghan Government should be given in (a) all cases of the deportation of Afghan subjects under the Foreigners Act of 1864, and (b) *important* cases only under other Acts, *viz.*, those in which the deportation is ordered of dangerous or habitual criminals and persons of more than ordinary status.

I am therefore to request that when the local Government
you decide to deport Afghan subjects of the classes mentioned above the following procedure may, if the Governor in Council sees
you see no objection, kindly be observed :—

(i) The Local Government should forward to the Government of India (in duplicate) full particulars in regard to the name, parentage, caste, residence and convictions of the deportee, together with a concise statement of the reasons for deportation.

¹ Memo. from N. W. F. P., No. 87-P. S., dated 20th January 1933 (A. S. XLVII, 137).

² Telegram No. 448, from Min., Kabul, to Foreign, Simla, 27th June, 1933, S. No. 1 of 480-F./33.

³ Para. 958.

⁴ Para. 1161 (b).

⁵ Memo. to Min., Kabul, No. F.-231-F./31, dated 20th July 1934 (A. S. LIV, 67).

⁶ Memos from Min., Kabul, No. 467, dated 1st August 1934 (A. S. LIV, 96).

⁷ Memo. to C. d'A., Kabul, No. F.-408-F./30, dated 23rd June 1932 (A. S. XLIV, 272).

⁸ (A. S. LIV, 116).

- (ii) The Local Government should at the same time forward for the information of the Government of the North-West Frontier Province (or, in the case of Afghans deported *via* Chaman, of the Hon'ble the Agent to the Governor-General and Chief Commissioner in Baluchistan) either with the deportee, or if possible ahead of him, a copy of the statement of particulars referred to at (i) above. The statement so sent would be for the information of, and retention by, the Government of the North-West Frontier Province Hon'ble the Agent to the Governor-General and Chief Commissioner in Baluchistan and would *not* be handed over at the border to the local Afghan authorities.
- (iii) On receipt by the Government of India of the statement referred to at (i) above, the purport of its contents will be forwarded to His Majesty's Minister, Kabul, for communication to the Government of the North-West Frontier Province Hon'ble the Agent to the Governor-General and Chief Commissioner in Baluchistan will be informed that this has been done.
- (iv) On receipt by the Government of the North-West Frontier Province (or the Hon'ble the Agent to the Governor-General and Chief Commissioner in Baluchistan) of the intimation referred to in (iii) above, they will inform His Majesty's Minister, Kabul, direct of the date on which the deportee is to be put across the border, which will be not less than 15 days from the date of the despatch of the letter by the Kabul *dak* from Peshawar.¹

1158. Similar rules have been framed for the deportation from India to Afghanistan of subjects of a third Power.

The legal position is examined in file No. 41/F./35² and distinction is there drawn between deportation under the Foreigners Act and deportation under the Passport Act. A Russian, for example, cannot be deported to Afghanistan under the Foreigners Act unless the Afghan Government agree. But if a Russian enters India *via* Afghanistan without a passport he can be deported by the route by which he entered. The Afghan Government should then be informed, but could hardly object.³ Further examination of the problem showed that as the Passport Act had not been applied to the whole land frontier of India, it was not possible to take up any logical position based on the exact wording of the law.⁴ The Government of India eventually decided on a compromise solution, and ordered that, with one exception, prior notice of the deportation of subjects of a third Power from India to Afghanistan, whether under the Foreigners Act, the Passport Act, or local Acts, should always be given to the Afghan Government. The exception is that, unless and until the Afghan Government object, no such notice need be given in cases of deportation by the Chitral route into Wakhan.⁵

1159. Government Property taken by (A) Refugees.—Afghan Government Property, consisting mostly of arms, which was brought into Indian territory by refugees during the rebellion was all returned to the new Government as soon after it was established as possible.

1160. (B) Deserters.—Similar action was taken in the case of deserters, as when four deserters from the Afghan Army arrived at Chaman in July 1932.⁶

1161. Rules of Practice.—The following rules of Practice are reproduced from paragraph 517 of the Afghan Précis of 1927, with new precedents where

¹ Compare also Enclosure to Memo. from Counsellor, B. L., Kabul, No. 603, dated 23rd September 1936 (A. S. L., 272).

² Home Department File No. 16/8/29-Pol.

³ Note page 1 dated 21st September 1934, in File No. 41/F/35.

⁴ *Ibid*, note dated 10th April 1935, notes page 5.

⁵ Memo. No. F.-41/F/35, dated 21st May 1935 to Min., Kabul (*Ibid*, S. Nos. 13 and 14).

⁶ Express Letter from Baluchistan, No. 74-P. Z., dated 18th July 1932 (A. S. XLV, 60).

any have been created since the establishment of the present régime in Afghanistan.

(1) Political refugees for whose presence in either country the action of that country's Government is to some extent responsible, have a moral claim on that Government for maintenance, and no objection can be made if such maintenance is given.

No new precedents in either country.

(2) Political refugees whose presence in either country is due to political developments or to personal reasons with which the Government of the receiving country is in no way responsible, have no claim on that Government for maintenance.

In practice both Governments have found it more convenient to provide maintenance for such refugees than to disclaim responsibility. For examples, see cases of Ghaus-ud-Din, Abdul Hakim, and S. Amin Jan (paragraph 1150). The payment of an allowance is, in fact, obligatory on the Government of India in the case of persons detained under Regulation III of 1818. In the case of Ghaus-ud-Din the Government of India had at first categorically disclaimed responsibility for his maintenance.¹ See also Note to paragraph 1150 (2).

Precedents. In India.—Allowances sanctioned for the Koh-i-Daman refugees.²

In Afghanistan.—The Afghan Government provides employment and maintenance for Mullah Abdul Jalil in order to keep him under their eye and out of mischief.

(3) “The receiving Government is, in the case of both these classes of refugees, obliged to do what it can to prevent them using its territory as a base for causing damage to the country of origin.”

Precedents.—Action taken during the rebellion for the control of the Political Refugees already in India.³

(4) “The Government of the receiving country is responsible if, through its own negligence and from a base in its own territory, damage is caused by refugees of either class to the country of origin.”

No new precedents. The principle has however been re-stated in the matter of absconding criminals—*vide* case of Pale, Khosti⁴. A reference in the terms of this rule of practice was made by the Afghan Government in 1935.⁵

(5) (It is improper and un-neighbourly for either Government to expel persons to the territory of the other without the concurrence of the latter.)

This rule of practice should now be re-stated as follows:—5 (a) ‘It is improper and un-neighbourly for either Government to expel its own subjects to the territory of the other without the concurrence of the latter’.⁶

Examples.

A.—FROM AFGHANISTAN TO INDIA.

Request by Afghan Government for permission to deport four Afghan subjects temporarily to India.⁷

Apology for expelling three Afghan subjects without notice to India in August 1930.⁸

¹ Telegram to N.-W. F. P., No. 3534-S., dated 3rd December 1929 (A. S. XXIX, 263).

² (Para. 1150.)

³ Para. 1149.

⁴ Paras. 1115 to 1117.

⁵ Letters from Min., Kabul, No. 281 (2), dated 23rd May 1935 (A. S. LVI, 290).

⁶ Note page 3, dated 13th February 1935 in file No. 41/F./35.

⁷ Telegram to Madras & C. P., No. 100-S., dated 9th January 1931 (A. S. XXXVII, 251).

⁸ Telegram from Min., Kabul, to F. O., London, No. 100, dated 5th August 1930 (A. S. XXXIII, 288).

B.—FROM INDIA TO AFGHANISTAN.

None.

But the question of expulsion of offenders from Tribal territory to Afghanistan is allied. The Government of India ordered in 1932 that in future there should be no explicit orders of expulsion of offenders to the Afghan side of the line, though they admitted that it must for the present continue to be a frequent result of political pressure on tribes.¹

5 (b) 'It is un-neighbourly for either Government to expel subjects of the other to the territory of the latter without giving notice of their intention'.

The reason for the deletion of the words '*improper and*' is that it is a generally accepted principle that each country is responsible for its own nationals and cannot reasonably refuse to have them back.

(Compare Kabul memorandum No. 184, dated the 14th April 1931 in which Sir Richard Maconachie wrote² :—

"Generally speaking, if the activities for which an Afghan subject is deported are not such as to render his return to Afghanistan obnoxious to the Government of India, I should consider it sufficient merely to inform the Afghan Government as an act of courtesy of the fact of such deportation".)

Authority.

A.—FROM AFGHANISTAN TO INDIA.

(i) Expression of regret by Afghan Government over the deportation without notice of two British subjects Gheramat and Majwar, in March 1936.³

(ii) Remonstrance by the Government of India at the deportation without notice of Amir Muhammad Khan, British subject, in 1930.⁴

B.—FROM INDIA TO AFGHANISTAN.

Government of India's rules in Memorandum No. 884/F./32 of 9th August 1934, since regularly observed.

Exceptions.—The Government of India consider that it will cause unnecessary labour and inconvenience to both Governments if information is exchanged regarding the deportation of offenders who are of no importance.⁵

5 (c) It is un-neighbourly, and in certain circumstances, improper, for either Government to expel the subjects of a third Power to the territory of the other without giving notice to the latter.

Authority.

A.—FROM AFGHANISTAN TO INDIA.

Deportation of Russian refugees from Afghanistan to India with the consent of the Government of India.⁶

The case of Bichilov and his wife provides an example of the Government of India refusing its consent.⁷

(These were all to all intents and purposes, cases of deportation, although they were sometimes given the appearance of voluntary moves.)

¹ Memo. to C. d'A., No. F.-408-F./30, dated 23rd June 1932 (A. S. XLIV, 272).

² (A. S. XXXIX, 187-A).

³ Memo. No. 785, from Counsellor, B. L., Kabul, dated 17th June 1936.

⁴ Letter to Min., Kabul, No. 219-F./30 of 9th August 1930 (A. S. XXXIV, 3).

⁵ Enclosure Memo. from Counsellor, B. L., Kabul, No. 603, dated 23rd September 1933 (A. S. L, 272).

⁶ Despatch from F. O., London, to Min., Kabul, No. 1, dated 4th January 1933 (A. S. XLVII, 133) and subsequent correspondence.

⁷ Memo. to Min., Kabul, No. F. 541-F./33, dated 10th November 1933 (A. S. LI, 159).

B.—FROM INDIA TO AFGHANISTAN.

Government of India's Memorandum No. F. 41/F./35 of 21st May 1935 the instructions in which have since been observed.

(6) Deserters from the military forces of either Government should not be employed in military formations near the common frontier by the other Government.

The Government of India has repeatedly pressed its objections in the matter of the employment of Wazir deserters in the Khost Militia, but has at length ceased to do so.¹

(7) Either Government is entitled to claim the restoration of property belonging to it, which is identifiable as such, and has been taken by deserters, or other refugees, to the country of the other Government.

Precedents.—Return by the Afghan Government of rifles taken by Afridi deserters from the police force of Baluchistan in 1930.²

Return by the Government of India of the rifles and equipment of 2 Afghan deserters who arrived in Zhob in September 1931, and similar action in July 1932.³

Exceptions.—This rule does not apply to Government property which has been either,

(a) taken by deserters in time of war between the two countries,⁴ or

(b) taken by refugees and subsequently sold to tribesmen of the receiving country.⁵

(8) Owing to Afghan sensitiveness regarding the recruitment of Hazaras by British authorities, it is inexpedient to demand the return of Government property taken by Hazara deserters to Afghanistan.

The Hazara Regiments have now been disbanded.⁶

(9) A demand for the return of Government property taken by a deserter may be resisted, if the receiving Government has made known its objections to the enlistment by the other Government of members of the tribe to which such deserter belongs.

No new precedents.

(10) Neither political refugees nor military deserters can be extradited. Even if an extradition Treaty were concluded, it would presumably only apply to ordinary criminals and not to political offenders.

(2) HEINOUS CRIMINALS.

1162. The rules of practice stated in paragraph 527 of the Afghan Précis of 1927, with modifications or comments in the light of recent incidents, are as follows :—

(1) “Heinous criminals who have committed offences in the territory of one Government and taken refuge in that of the other, cannot be extradited in the absence of an extradition treaty.”

A protocol providing for an extradition agreement between Iran and Afghanistan was signed by representatives of the two Governments in June 1928. There is no record in the Afghan Précis of its having ever been implemented. The conclusion of any such agreement between His Majesty's Government and the Government of Afghanistan is still regarded as impracticable (paragraph 37 (10)).

(2) “The Government of the receiving country should show ‘heinous criminals’ from the territory of the other no favour, and in particular should not grant them land.”

¹ Demi-official from Min., Kabul, to Foreign Secretary to G. of I., No. 486, dated 10th December 1931, on page 25, File 231-F. of 1931.

² Memo. from Min., Kabul, No. 385, dated 28th October 1930 (A. S. XXXVI, 125).

³ (A. S. XLI, 300 and XLV, 60).

⁴ Afghan Précis (1927), Para. 510.

⁵ Afghan Précis (1927) Para. 513.

⁶ Despatch from Min., Kabul, to F. O., London, No. 113, dated 19th October 1932 (A. S. XLVI, 97).

A protest against conduct on the part of the Afghan Government contrary to this rule of practice was made by the British Minister in the winter of 1931-32. The Afghan Government admitted that their conduct might well give rise to accusations of bad faith, but offered a number of excuses in particular instances which the Government of India had reluctantly to accept.¹ The admitted principle remains unchanged, as does the British Government's right to make a protest and ask for an explanation when any deviation from the principle occurs.²

It is now established that a grant of land to an absconding offender does not always mean what at first appears. The grant may be merely an 'allotment' on which the man must support himself and his family, and so take the place of the subsistence allowance paid by the Government of India to refugees such as Bang and his party in Ajmer. (The Government of India did in fact at one moment contemplate something like a grant of land to Bang).³

- (3) "In addition the Government of the receiving country may be called upon to take such overt action as may be necessary to prevent such criminals disturbing the peace of the Frontier from a base within that country.

This action may take the form either of expulsion from the country, or of deportation to a place far distant from the common frontier."

Precedents in support of this rule are confused by the absence of a clear distinction between political and other offenders, but demands have been made, and to a greater or lesser extent fulfilled in the cases, amongst others, of :—

- (i) The Koh-i-Daman refugees, whom the Afghans regard as "heinous offenders" and the Government of India as political refugees⁴,
- (ii) Badshah Gul I, and his father, the Haji of Turangzai, whom the Government of India regard as criminals and the Afghan Government as political refugees⁵.
- (iii) *The Hotak Refugees*—

Action in accordance with the spirit of this rule was taken in Baluchistan in 1931 when a fugitive party of Afghan outlaws, described sometimes as 'brigands' and sometimes as 'insurgents', arrived in Hindu Bagh with their arms (paragraph 898).

They were eventually sent for detention to Ajmer, where their disposal owing to their absolute refusal to do anything to support themselves, caused a great deal of trouble.⁶ An allowance for their maintenance was sanctioned by the Government of India.⁷ They were dealt with not under Regulation III of 1818 but under the Criminal Tribes Act.⁸

In 1934 they began to request to be sent back to Afghanistan,⁹ and the Government of India encouraged them to try to make their peace with the Afghan Government.¹⁰

In March 1936 a petition on behalf of some of them received by the Government of India was forwarded to the Afghan Foreign Minister by the British Minister. The Afghan Foreign Minister indicated that the Afghan Government would be willing to have them back without retribution for past offences but would have to keep them under suitable surveillance.

¹ (A. S. XLII, 220 & 234).

² *E.g.* Min. Letter No. 460, dated 2nd March 1932, to Afghan Foreign Minister (Enclosure to A. S. XLIV, 43A).

³ See noting, dated January and February 1935 on File No. 449-N. of 1935.

⁴ Para. 1150.

⁵ Paras. 1170-1175.

⁶ Memo. from C. C., Ajmer-Merwara, No. 842/66-C. C./33, dated 30th June 1934 (A. S. LIV, 20-A).

⁷ Letter No. 402-F./34, dated 1st June 1935.

⁸ Telegram to C. C., Ajmer-Merwara, No. 471, dated 21st February 1935 (A. S. LV, 231).

⁹ Memo. from C. C., Ajmer-Merwara, No. 1761-C./66-C. C./33, dated 1st August 1934 (A. S. LIV, 97).

¹⁰ Memo. to C. C., Ajmer-Merwara, No. F.-402-F./34, dated 27th December 1934 (A. S. LV, 103-A), and Express Letter from Min., Kabul, No. 281, dated 20th September 1934 (A. S. LIV, 228).

As a result of the negotiations thus re-opened Bang himself and his family returned to Afghanistan in the autumn of 1936.¹ The remainder of the party were, at the time of writing, waiting to see what treatment he received before deciding whether or not to follow his example.

Jalat Khan, one of the party, escaped from surveillance in February 1935,² and was next heard of as being under arrest in Kandahar Jail.³ It was afterwards reported that he had made his peace with the Afghan Government and been released on security.⁴ Arrangements were made for sending his family to join him.⁵

(NOTE.—For internal discussions between departments of the Government of India as to the best method of disposal of this party the principle having been once admitted that they constituted 'an international obligation which the Government of India must accept and deal with as best they can, even though expenditure and inconvenience are involved', see file No. 449-N. of 1935, especially the Appendix and Précis at the end of the noting. The Government of India were on the point of taking action under Regulation III of 1818 when the Afghan Government began to be willing to receive some of them back.)

(iv) A similar request was made to the Afghan Government in the less important cases of Khudai Rahim and Nazarai and Abdulla Jan, sons of Mir Alam, outlaws from the Baluchistan border.⁶

(4) " ' Political ' Offenders are not included, for the purpose of these rules, in the category of ' heinous criminals ' ."

The distinction is not clear, and in cases where there is doubt it appears that the view of the receiving Government usually prevails.

1163. Recent practice in particular cases.—

(1) Notorious Murderers.

Bostan
Mahmud
Zari
Base Gul
Daud Shah
Pale.

(NOTE.—Lists of 'heinous offenders who have resorted or are likely to resort to Afghanistan' were supplied to the British Legation, Kabul as recently as 1931,⁷ but the Government of India has not revised the lists since that date. The list was only for the information of the British Legation, and not for presentation to the Afghan Government.)

(2) Badshah Gul.

(3) Abdulla Jan.

1164. **Bostan.**—Bostan Giga Khel, Mahsud, murdered Lieutenant Stevens and Assistant Surgeon Cabral on the Jandola-Razmak road on 14th June 1929⁸. He fled to Afghanistan, and later joined Nadir Khan's standard in the latter's march on Kabul. He was given as a reward land in the Logar Valley, and in spite of protests the Government of India had eventually to acquiesce in this.⁹

1165. **Mahmud.**—Mahmud murdered the young son of an American Missionary and two Mission Nurses in Mardan in May 1934¹⁰, and fled to Tribal territory. He was reported in April 1936 to be on his way to Kabul¹¹ but did not arrive there.

¹ Norwef's XL No. 361-P. C./106 (a) P. S., dated 2nd February 1937 (on file 110-N./36).

² Telegram to C. C., Ajmer-Merwara, No. 471, dated 21st February 1935 (A. S. LV, 231).

³ Letter from C. C., Ajmer-Merwara, No. 1239/66-C. C., dated 30th July 1935 (on file 449-N. of 1935).

⁴ Enclosure to Kabul Memo. No. 281 of 14th November 1935 (*ibidem.*).

⁵ XL from Baluchistan, No. 263-P. of 16th April 1936 (on file No. 110-N./36).

⁶ Memo. from A. G. G., Baluchistan, No. 2034-P., dated 27th April 1934 (A. S. LIII, 91).

⁷ Confidential Memo. No. F. 185-F./30 of 2nd May 1931, to Counsellor, British Legation, Kabul.

⁸ Norwef's telegram No. 155-P. N. of 14th June 1929 (S. No. 1 on file 164-F./29).

⁹ Letter to I. O., London, No. F. 50-F./31, dated 21st July 1931 (A. S. XLI, 58-A).

¹⁰ Norwef telegram No. 1510-P. S. of 19th May 1934 (S. No. 1 on file 217-F./34).

¹¹ Telegram to C. d'A., Kabul, No. 90, dated 16th May 1936 (A. S. LX, 73).

1166. **Zari.**—Zari, a Giga Khel Mahsud, murdered Lieutenant Synge and Private Whawell on the Jandola-Wana road in November 1931,¹ and fled to Afghanistan. He was eventually arrested by the Afghan authorities and deported to Afghan Turkestan, where he has been settled under surveillance.

In September 1934 he was reported to have twice escaped from surveillance in Mazar-i-Sharif and to have been twice recaptured.²

1167. **Base Gul.**—Base Gul, a British tribesman in employ as an Afghan khassadar, murdered a clerk in Wana Camp in May 1935 and fled across the border.³ The British Minister at once took the case up orally with the Afghan Government, asking that no favour should be shown to him by Afghan Officials and that he should be arrested and removed to a distance from the Frontier.⁴

He has not yet been definitely located, though it is likely that he was sheltering with Abdulla Jan at the time that action was taken against the latter⁵.

1168. **Daud Shah.**—Daud Shah was one of the murderers of Majors Orr and Anderson in the Khyber in April 1923.⁶ He is supposed to be confined to his home at Nakhtar Nao, which is unpleasantly near the Frontier, but is frequently reported to be moving about and sometimes to be actually on the British side of the border. The most recent protest against his reported activities, and request for his removal to some remoter place were made to the Afghan Prime Minister in July 1936.⁷ The Prime Minister promised, without much apparent hope of success, to do something to meet the Government of India's wishes.

1169. **Pale.**—Pale, who was already an outlaw, committed a raid from a base in Afghan territory on the Baluchistan Mail lorry on 27th April 1935 and returned to Afghan territory. His removal from the neighbourhood of the Frontier was demanded,⁸ and a claim for compensation has also been put forward.⁹ He later took refuge with Abdulla Jan in Zilli Khel country on the Indian side of the frontier. That gang has been driven from its refuge by direct action by the Government of India, but Pale has not yet been laid by the heels by either government.

1170. **Badshah Gul I.**—A statement of the Frontier Government's case against Badshah Gul I, eldest son of the Haji of Turangzai, is stated in memorandum No. 298-P. S./1086(4)-II, dated 29th April 1935, from the North-West Frontier Province Government¹⁰. The letter shows him and his father to be the Government of India's most active and inveterate enemies trans-border, the chief fomenters of trouble and the main obstacles to peace and concludes as follows :—

“The Haji of Turangzai and Badshah Gul are to us what ‘Pak’ and the Malangs are or have been to the Afghan Government. A third party who traffics with them in their eyes and the eyes of the tribesmen ranges himself on their side; there can in such matters be no such thing as neutrality. So long as Badshah Gul receives any form of encouragement from Afghan officials, so long indeed as he is not actively discouraged by them, so long as he is not denied access to all Afghan official quarters, the Afghan Government cannot divest themselves of responsibility for his anti-Government activities in view of the accretion of strength and prestige he gets from his traffic with them. Indeed that a person fresh from active hostilities against his own Government should be allowed access to a neighbour's territory with the sole object of obtaining resources and maturing plans for further hostilities and returning thence at his leisure to conduct them, is an irregularity, the seriousness of which in this case has been blurred only by the very regularity of its recurrence.”¹¹

¹ Resident Waziristan's telegrams Nos. 1541-S. and 1543-S. of 2nd November 1931 (A. S. XLII, 102 & 105).

² Express Letter from Min., Kabul, No. 281, dated 20th September 1934 (A. S. LIV, 228).

³ Telegram from N. W. F. P., No. 175, dated 2nd May 1935 (A. S. LVI, 216).

⁴ Telegram from Min., Kabul, No. 57, dated 16th May 1935 (A. S. LVI, 262).

⁵ Para. 1177.

⁶ A. P. (1927), Para. 239.

⁷ A. S. LX, 222, 270.

⁸ Despatch from Min., Kabul, to F. O., London, No. 101, dated 11th September 1935 (A. S. LVIII, 67).

⁹ Despatch from Min., Kabul, to F. O., London, No. 126, dated 7th November 1935 (A. S. LVIII, 289).

¹⁰ (A. S. LVI, 213).

¹¹ Memo. from N.-W. F. P., No. 298/P. S./1086 (4)-II, dated 29th April 1935 (A. S. LVI, 213).

1171. The Government of India conducted further enquiries before taking action on this reference, but on receipt of Memorandum from the North-West Frontier Province Government, No. 512-1086 (4) P. S. Vol. II (ii), dated 16/17th August 1935,¹ they were prepared to accept the North-West Frontier Province Government's charges as a generally fair statement of the position of the Haji of Turangzai and his sons *vis-à-vis* the Government of India and the Afghan Government.²

1172. In the meanwhile further activities on the part of Badshah Gul, his father, his brothers, and his party led directly to the Mohmand operations of 1935 (paragraph 965). The Mohmands were preparing to give up the struggle and Badshah Gul looked like being finally discredited, when he went off with a jirga to Afghan Territory and was met by the Afghan Foreign Minister at Dakka. The Afghan Foreign Minister in a sincere belief that he would thereby contribute to the early restoration of peace, brought Badshah Gul back with him to Kabul³. On returning to Kabul the Foreign Minister told Colonel Fraser-Tytler that the Afghan Government had no intention of letting Badshah Gul go again, since they realised that his return to Mohmand country would mean further trouble for both Governments. His future was a matter for negotiation between the two governments but the Foreign Minister hinted that the best solution might be to settle him and his family and his father, if they could get hold of him, at some safe distance from the Frontier. The Government of India accepted the Foreign Minister's action in the spirit in which it was intended, but foresaw difficulties in the execution of his intentions.⁴

1173. After the conclusion of peace with the Mohmands the Government of India took up the question of Badshah Gul's disposal. They doubted the practicability of getting the Haji or other members of the family removed, but considered that the removal of Badshah Gul to a safe distance from the Frontier was of great importance. They based the demand both on their own conduct in removing Ghaus-ud-Din, Abdul Hakim and others from the Frontier at the request of the Afghan Government (paragraph 1150), and on the undertaking given by the Afghan Foreign Minister when he first took Badshah Gul to Kabul⁵. Unfortunately when the British Minister raised the question with the Afghan Prime Minister, the latter brought out the plea that Badshah Gul had come to Kabul of his own free will on safe conduct; was not a fugitive nor a refugee and the Afghan Government were not free to detain him indefinitely.⁶ The best he could offer was to allow Badshah Gul to go back to Mohmand country on his giving a solemn undertaking to return to Kabul with his family in a few months and remain there. The Government of India received the plea of 'safe conduct' with suspicion, and wished to bring further pressure to bear on the Afghan Government with the argument that they would cease to control anti-Afghan agitators in Indian territory if the Afghans would not do the same for them.⁷ The instructions finally given to His Majesty's Minister were as follows :—

“ You should commence by stating that if Badshah Gul came to Kabul on a safe conduct implying liberty of movement, we recognise that this affects position. You could, however, perhaps while accepting Prime Minister's statement, touch on its inconsistency with Faiz Muhammad's language on 23rd September and even with his own proposal to attach a condition to Badshah Gul's release. You might add that Afghan Government's behaviour in this case and whole character of their relations with such obdurate offenders as Haji and his sons seem to us to be hardly consistent with their obligations of neighbourly conduct.

¹ A. S. LVII, 216.

² Memo. No. F.-363-F/34 of 7th September 1935 (A. S. LVII, 298).

³ Telegram from Min., Kabul, No. 105, dated 24th September 1935 (A. S. LVIII, 118).

⁴ Telegram from I. O., London, No. 2626, dated 25th September 1935 (A. S. LVIII, 129).

⁵ Telegram to I. O., London, No. 3188, dated 26th November 1935 (A. S. LIX, 13).

⁶ Telegram from Min., Kabul, to F. O., London, No. 141, dated 11th December 1935 (A. S. LIX, 53).

⁷ Telegram to I. O., London, No. 3383, dated 20th December 1935 (A. S. LIX, 77).

You should lead up to conclusion that His Majesty's Government and Government of India who are at great pains to intern at a distance from frontier Political refugees and fugitive criminals who might endanger peace of Afghanistan, have right to ask for full measure of reciprocity on the part of Afghan Government and you might ask for an assurance that if at any time in future Haji or any member of his family enter Afghanistan he should be arrested and detained at a safe distance from frontier. In view of difficulty which has been created by action of Afghan Government in present case His Majesty's Government consider that they have a right to ask for such an assurance and you may point out that it will also be in interest of Afghan Government to act up to it if occasion arises in view of serious danger that presence of these outlaws in Safi country will sooner or later lead to a renewal of recent trouble with upper Mohmands¹''.

1174. The arguments had little effect on the Prime Minister² and after further prolonged discussions between His Majesty's Minister and the Afghan Prime Minister, Badshah Gul was allowed to return to his home at Lakarai having promised 'to return to Kabul whenever he was sent for and to bring his family with him provided the Haji would allow him to do so'. Colonel Fraser-Tytler pointed out that this would mean a return to the old objectionable position with Badshah Gul at liberty to visit Kabul whenever he felt inclined to do so. The Prime Minister to a certain extent admitted this, but was convinced that the best contribution he could make to the peace of the Joint Frontier was to be able to send for Badshah Gul and control him whenever he saw a necessity for doing so. Colonel Fraser-Tytler acknowledged the sincerity of the Prime Minister's motives, but insisted that the idea of the Afghans maintaining any relations whatever with the tribes on the British side of the Line was wrong and could never lead to peace.³ At the same time His Majesty's Government had accepted the plea of safe conduct and would raise no objections to Badshah Gul's return on this occasion.⁴ Badshah Gul reached Lakarai in Mohmand country in March 1936 and was received with acclamation.

1175. The next report against him from the Frontier Province was that he was re-extending his influence against Government's friends among the Mohmands, was instigating opposition to repairs to the road, and was systematically sending small batches of tribesmen to Jalalabad with commendatory letters of introduction to Afghan officials⁵. For various reasons the Government of India felt that an informal oral protest to the Afghan Government against the danger of Afghan officials letting their names be used by Badshah Gul for any strengthening of his own position, was all that was needed for the moment.⁶

1176. **Abdulla Jan.** —Abdulla Jan, Zilli Khel Wazir is a British tribesman whose home is at Musa Nikka in the South Waziristan Agency on the Indian side of the line. He had for long been an active and powerful opponent of the Government of India's interests among the Ahmadzai Wazirs. He is the brother of one of the murderers of Major Finnis and had himself been concerned in the looting of Tiarza British Militia post in 1909. He had consistently sheltered murderers including Zari, the murderer of Lieutenant Synge in 1931. In 1934 and 1935 he had collected a regular gang of outlaws and murderers, and was the leader of all opposition among the Ahmadzai Wazirs to the British political authorities. He owed much of his importance and power for harm to the fact that he held honorary rank in the Afghan Army and was in receipt of a big annual allowance from the Afghan Government.

¹ Telegram from F. O., London, to Min., Kabul, No. 218, dated 28th December 1935 (A. S. LIX, 92).

² Telegram from Min., Kabul, to F. O., London, No. 3, dated 8th January 1936 (A. S. LIX, 108).

³ Memo. from Min., Kabul, No. 982, dated 27th February 1936 (A. S. LIX, 206).

⁴ Telegram from Min., Kabul, No. 28, dated 10th March 1936 (A. S. LIX, 220).

⁵ Memo. from N. W. F. P., No. 3133-P. C., dated 29th August 1936 (A. S. LXI, S. No. 1).

⁶ Letter to F. O., London, No. F. 684-F./35, dated 18th November 1936, File No. 684-F./35, S. No. 52.

1177. All attempts to control Abdulla Jan by political pressure on his own tribe having failed, the Government of India decided in the summer of 1936 that they must have resort to direct action. Before taking action they decided to inform the Afghan Government of their intentions and to ask for their co-operation¹. His Majesty's Minister accordingly gave the Afghan Foreign Office a note detailing the case against Abdulla Jan, giving notice of the action intended to be taken, and asking for co-operation in the following ways² :—

- (i) by ensuring that Afghan subjects kept out of the danger zone and
- (ii) by arresting Abdulla Jan and his gang ' under the rules of practice,' if they took refuge in Afghanistan.

The Afghan Prime Minister promised co-operation, and enquired if the Government of India would have any objection to his effecting the arrest and removal of Abdulla Jan and his gang by peaceful means. He was told that they would not.³

1178. On the very day that warning notices of bombing were dropped over his house Abdulla Jan left for Afghanistan, accompanied by the Faqir of Shewa. The latter is a respected Mullah of British Tribal Territory who is regarded with some favour in Afghanistan, but who in spite of this fact is not anti-British. On arrival at Urghun Abdulla Jan was put in custody by the Afghan authorities. From thence he was taken under arrest to Kabul. The Prime Minister, in discussing the matter with Colonel Fraser-Tytler, prided himself that he had fulfilled the major part of his side of the bargain, and asked for the cessation of the intended aerial action against the rest of the gang.⁴ To the latter request the Government of India agreed.⁵

1179. Abdulla Jan had not been in Kabul for long before the Prime Minister raised the same plea of ' safe conduct ' which he had raised in Badshah Gul's case.⁶ Abdulla Jan's cousin Angur had come with him to Kabul. He too was a ' heinous offender ', but him too the Prime Minister could not deal with under the rules of practice. The Government of India were shocked at this fresh plea of ' safe conduct ', but felt they had no option but to respect it. They suggested that certain minimum conditions should be put to Abdulla Jan for his return, and that failing his acceptance of these the Afghan Government should wash their hands of him and leave the Government of India to deal with the situation according to their original intentions.⁷ Angur they considered to be of less importance.

1180. At the time of compilation of this Volume, Abdulla Jan was being kept in the Koh-i-Daman under surveillance. The Prime Minister had told the British Minister that he intended to keep him in Afghanistan for the time being, and that his family was expected shortly to join him.⁸ Angur had been allowed to depart after taking an oath to keep peace with the British Government.

The acting Prime Minister promised to do his best to deal with others of the gang.

¹ Telegram from I. O., London, No. 2273, dated 1st August 1936 (A. S. LX, 252).

² Despatch from Min., Kabul, to F. O., London, No. 109, dated 7th August 1936 (A. S. LX, 271.)

³ Despatch from Min., Kabul, to F. O., London, No. 124, dated 3rd September 1936 (A. S. LXI, 34).

⁴ Telegram from Min., Kabul, No. 82, dated 13th September 1936 (A. S. LXI, 57).

⁵ Telegram to N. W. F. P., No. 2076, dated 14th September 1936 (A. S. LXI, 59).

⁶ Telegram from Min., Kabul, No. 89, dated 30th September 1936 (A. S. LXI, 103).

⁷ Telegram to Min., Kabul, No. 249, dated 10th October 1936 (A. S. LXI, 121.).

⁸ (A. S. LXI, 123 & 164.)

APPENDIX TO CHAPTER XV.

AFGHAN RESPONSIBILITY FOR FRONTIER MURDERS.

Appendix III of the Afghan Précis, 1927 deals with "Afghan Responsibility for the Frontier Murders of 1923". The following extract from paragraph 724 shows the differences of opinion which were expressed :—

"Broadly stated, the position of the Minister was that any new set of facts, such as the series of murders of British officers in 1923, could only be explained on a consideration of all the new factors bearing on the existing Frontier situation; and that intelligence reports regarding the existence of these new factors required to be carefully sifted before they could be accepted, more especially when their uncritical acceptance might have such grave consequences as was possible in the present instance.

The Frontier view was that, although there might be contributory factors in each case, the main cause of all these murders was the hostile policy of the Afghan Government evinced particularly by the attitude of the Amir at Jalalabad in February and March 1923.

The question is not an academic one for those who have any practical connection with Afghan and Frontier affairs, since without an accurate estimate of the causes it is impossible to guard against the recurrence of their product".

In 1928-29 and 1931 Frontier Officers again scented some connection between the regrettable frequency of outrages in Tribal areas and the treatment which the perpetrators of these outrages had the reputation of receiving in Afghanistan. Sir Richard Maconachie sent a despatch in November 1931 in which he referred to the cases of three particular offenders, Bostan, Khair Muhammad and Shahzada, to all of whom, in spite of their being charged with grave crimes affecting British and Indian officers, the Afghan Government had shown favour. While Bostan's case was still pending, another British Officer and a private of the same corps were murdered in very similar circumstances by a cousin of Bostan named Zari, who also fled to Afghanistan. It was easy to suggest a relation of cause and effect between Bostan's treatment and this latest crime. Although he had not minced his words in protesting to the Afghan Government over all these cases, Sir Richard Maconachie reached the conclusion that their undoubted lapses had been due to inefficiency rather than ill-will.¹

The Government of India, while expressing themselves quite satisfied with the vigorous representations which the Minister had made, recorded the following expression of opinion.

"Previous Afghan Governments have upon occasion gone out of the way, and so still more have Afghan officials, to make much of persons from our side of Durand Line who have rendered themselves conspicuous by acts of hostility against us, such as murder of our officers. That such treatment has in past not uncommonly been accorded to persons whom we regard as criminals is matter of common knowledge in tribal circles. Expectation of similar treatment cannot therefore we think safely be discarded as relevant factor in any case which may occur, until other sufficient motives have been established. In this instance we were never inclined to believe that Zari's crime had been brought to accomplishment merely because Bostan had been given land in Logar, but when our letter of 12th November No. F. 50-F./30² was written, we were not yet in full possession of facts and all that we intended by our allusion to Synge case was to suggest that it might prove to be one in which treatment of Bostan by Afghan Government, whatever might be motive behind it, had had reactions in Waziristan. In this we see nothing unreasonable."

¹ Despatch from Min., Kabul, to F. O., London, No. 164, dated 24th November 1931 (A. S. XLII, 220),

² S. No. 149 (A. S. XLII).

³ Express Letter to I. O., London, and Min., Kabul, No. F.-50-F./30, dated 7th December 1931 (A. S., XLII, 234).

CHAPTER XVI.

SUBSIDIES AND MATERIAL ASSISTANCE TO AFGHANISTAN.

1181. Cash subsidies were paid to earlier Amirs,¹ but no provision for cash subsidy was made in the Treaty concluded with King Amanullah Khan's Government, nor has any cash subsidy in the old form since been paid. The Government of India and His Majesty's Government are both satisfied that no regular cash subsidy in the future is desirable,² and it is extremely unlikely that any Afghan Government will ever ask for one. The position now is governed by the repeated declaration on the part of His Majesty's Government of their readiness "to show their friendship for the Afghan people by giving such assistance as they can in the reconstruction and development of their country."³ The first request for help based on this declaration was made by the Afghan Government on 16th June 1930.⁴ The request was for 20,000 rifles with 1,000 rounds of ammunition, and for £400,000 sterling, all to be free gifts.⁵ The Minister thought the Afghan Government really needed and expected about half what they were asking.⁶ In commenting on the request, for which they were not unprepared, the Government of India told the Secretary of State—

- (i) that they were ready to give 10,000 rifles, etc., at once, and contemplated the possibility of repeating the gift after an interval if this could not be avoided ; and,
- (ii) that they could not commit themselves to a cash gift of more than £200,000, payable in two instalments.

They considered that the liability which they were assuming was of great Imperial interest and that it was reasonable to hope that His Majesty's Government rather than themselves would assume it. (This hope was immediately and without argument destroyed.)⁷

In return for whatever gift was made, they would not assume to dictate the manner in which the money was spent, but would like an assurance that it would be spent on general purposes leading to the creation of a strong central Government in Afghanistan, they would expect the Afghan Government to adopt a generally friendly attitude especially in matters relating to interference with Frontier tribes, and they would also expect the Afghan Government to meet their wishes over the matter of aerial development.⁸

The negotiations ended with the grant by the Government of India of (i) a present of 10,000 ·303 rifle-units with ammunition and (ii) a long-term loan of £100,000 free of interest⁹.

1182. This was followed in 1931 by a second long-term loan of £75,000¹⁰ of which the Afghan Government took a portion in the form of 5,000 more rifles and ammunition.

[For the assurances given by the Afghan Government when they were informed of the grants, see paragraph 890 and Kabul despatch No. 63 of 9th September 1930 (A. S. XXXV, 190)].

¹ Para. 564 of Afghan Précis of 1927.

² Para. 3 of enclosure to letter from F. O., London, to Sir Francis Humphrys, No. 75 of 12th May 1928. See also Encl. No. 1A to Kabul despatch, No. 63 of 9th September 1930 (A. S. XXXV, 190). The question is discussed at greater length in Chapter XXVI, the Next Treaty.

³ Despatch from Min., Kabul, No. 6, dated 7th January 1931 (A. S. XXXVII, 248, para. 130).

⁴ Despatch from Min., Kabul, to F. O., London, No. 24, dated 18th June 1930 (A. S. XXXII, 261).

⁵ Telegram from Min., Kabul, Nos. 71 and 73, dated 17th July 1930 (A. S. XXXIII, 113).

⁶ Telegram from Min., Kabul, to F. O., London, No. 72, dated 14th July 1930 (A. S. XXXIII, 114).

⁷ Telegram from I. O., London, No. 2502, dated 2nd August 1930 (A. S. XXXIII, 252, para. 2).

⁸ Telegram to I. O., London, No. 2364-S., dated the 22nd July 1930 (A. S. XXXIII, 148).

⁹ Enclosure No. 2A to Kabul despatch No. 63 of 9th September 1930 (A. S. XXXV, 190).

¹⁰ Telegram from Min., Kabul, to F. O., London, No. 49, dated 18th March 1931 (A. S. XXXVIII, 218).

1183. The sum on which the Government of India decided in its own mind for the second long-term loan granted in 1931 was, like the first, £100,000. Instead of paying the whole sum over to the Afghan Government they retained £25,000 as a fund called "The Afghan Reserve", against which they debited odd items of expenditure on Afghanistan during the next few years.

1184. While sanctioning these 'loans' the Government of India took the opportunity to reconsider "the general question of the maintenance of a fixed standard of annual expenditure on the policy commonly referred to as that of the subsidy in kind. The matter was finally considered on 21st January in Council, and it was resolved that if in the course of the next two or three years His Majesty's Minister sees an opportunity of rendering material assistance to the King of Afghanistan which will be of real benefit to India as well as to Afghanistan in the light of our fundamental policy, which is to secure a friendly and stable Afghanistan, proposals by him to this end would receive the careful consideration of the Government of India. The justification for such assistance would however have to be established on the merits of each case, while the possibility of giving it would always be dependent on the financial resources of the Government of India at the time and, in an increasing degree, on public opinion in India. It was decided therefore that no useful purpose was served by the maintenance of a theoretical standard of annual expenditure of this nature as has been done in the past."¹ Their decision was confirmed by the Secretary of State for India.²

1185. A request by the Afghan Government for further material aid of the same nature as had been granted in 1930 and 1931, was made in 1933, but on this occasion the Government of India declined to open its purse.³

1186. The position with regard to repayment of these 'long-term loans' is described in the Government of India's files as follows: "The credit of £175,000 is really no doubt a gift, not a loan, though for political reasons it was thought convenient to call it a loan. The prospects of repayment..... are negligible" (Note by Sir Evelyn Howell, dated the 30th April 1932, notes page 50 of file No. 187-F.). The manner in which the charge has been shown in the Government of India's accounts can be traced from the same file. The Government of India have no intention of demanding repayment except "in certain special circumstances".

1187. **Considerations justifying expenditure by the Government of India on Afghanistan.**—The reasons why the Government of India feels justified in spending money on Afghanistan are apparent from the repeated statements of policy to which reference has been made throughout this volume. This chapter would, however, not be complete without the inclusion of at least one such statement. The statement reproduced below was prepared in 1935 at the time when the Government of India were considering the Afghan Government's request for economic aid and for the grant of "Free Transit" facilities.⁴

EXTRACT⁵ FROM TELEGRAM TO HIS MAJESTY'S SECRETARY OF STATE FOR INDIA, LONDON, No. 925, DATED 8TH APRIL 1935 (COPY BY POST TO KABUL).

"3. (A).—(i) We re-affirm opinion frequently expressed in the past that the continuance of the present regime in Afghanistan is of great importance to India from two points of view. Firstly because correct attitude adopted by that Government towards our tribes saves us much anxiety and has certainly in the past contributed towards avoidance of expensive military operations. Secondly because their recognition of the community of British and Afghan interests and determination to resist Soviet pressure tends to maintain valuable buffer between us and a potentially hostile State.

¹ Letter to I. O., London, No. F. 395-F/30, dated 23rd February 1931 (A. S. XXXVIII, 110).

² Letter from I. O., London, No. P-1347/31, dated 26th March 1931 (A. S. XXXIX, 76).

³ Letter to I. O., London, No. F. 346-F/33, dated 12th July 1933 (A. S. XLIX, 137).

⁴ Paras. 1202-1204 and 1284.

⁵ A. S. LVI, 115.

We fully recognise that were this Government to disappear and be succeeded either by chaos or by anti-British regime, Government of India would have to face increased trouble on the Frontier and also risk of advance towards India by Soviet Republic through absorption of Northern Provinces of Afghanistan, which would involve an entirely new and enormously expensive increase in our Imperial military commitments.

- (ii) We agree that if reasonable measures of insurance against these risks can be found it would be prudent to adopt them. We do not however consider that India can properly be expected to pay the whole premium. We are responsible for the protection of our frontier and control of tribal areas and against this we have already decided to insure at considerable expense by road building programme, which you have approved. We also contribute a considerable sum annually for cost of British Mission in Afghanistan and paid about 40 lakhs in 1929 to give Nadir Shah a fair start. We are now prepared in addition to supply a certain number of Indian rifles to the Afghan Government either free of cost or on long term deferred payment in order to increase the efficiency of the Afghan army which is a most important factor in the stability of that Government. Having done this we consider that we have discharged our responsibilities in full and that His Majesty's Government should undertake entire financial responsibility for all other measures which may be found practicable and necessary for maintaining the economic stability of Afghanistan. Moreover if these measures follow the lines hitherto suggested and we accept the charge we shall be accused with justification not only of placing an Imperial burden upon Indian taxpayer but also of financing at expense of India, scheme which can only benefit British trade to the detriment of Indian trade."

1188. Constitution of the Afghan Fund and Allocation of Expenditure between His Majesty's Government and the Government of India.—The 'loans' already mentioned were made from Government of India Revenues, on which, as a general rule in the past, the whole burden of expenditure on Afghanistan has been made to fall.

1189. In 1935 the Government of India reviewed their position and addressed the Secretary of State for India as follows :—

"We have carefully reviewed our position in the matter of peacetime expenditure in Afghanistan in the light of our existing and prospective financial position and of our responsibility to the coming Federal Government. This expenditure falls under two heads—

- (a) ordinary, namely the cost of maintenance of the Legation and Consulates (approximately 4·45 lakhs per annum), and
- (b) extraordinary, being the cost of material assistance rendered from time to time in order to maintain the friendship and stability of Afghanistan. The former head is not in question. As regards the latter our present attitude is defined in Government of India's telegram No. 1323-S. of 22nd October 1925 [Serial No. (67) in Part XIX], as being to grant to the Amir material assistance in kind provided that he asks for it, has earned it, and it is to the mutual advantage of India and Afghanistan. Since establishment of Legation in 1922, our average annual expenditure under this head has come to a little over 4 lakhs. By far the greater portion of this expenditure was however incurred in a single year, 1931, as a result of the emergency created by the Afghan revolution and the necessity of stabilizing the new regime.

2. We feel that our future policy in this matter must be determined mainly by what we feel to be the basic necessity of maintaining and affirming the decision and control in policy towards Afghanistan secured to Government of India in conjunction with Secretary of State by the agreement arrived at in 1921 between the Secretary of State and His Majesty's Secretary of State for Foreign Affairs [see correspondence at Serial Nos. (36) and (62) of Afghan Series, Part VII]. The necessity for this single control of policy on both sides of the Afghan Frontier has in our view been clearly established by the experience of the thirteen years which have elapsed since the establishment of the Legation in Kabul. Division of control would involve dangerous possibilities of friction and delay in the handling of the frequent problems which arise in which both the Afghan Government and our Frontier Administrations are vitally concerned such for instance as the events following on the Ellis outrage in 1923, Khost Rebellion of 1924, incursion of Wazir tribesmen into Afghanistan in 1933, and the present trouble with the Torobo Ghilzais who are residents of Afghanistan but winter on the Indian side of and close to the Durand Line. We recognize that a necessary corollary to this power of control is the acceptance by us of the primary responsibility for peace-time expenditure in Afghanistan under both of the heads mentioned above.
- 3 We feel, however, that it is necessary in justice both to the present Government of India and to the Federal Government which will shortly succeed it to restate at this juncture the limitation which in our opinion must be placed on this liability. We are strongly impressed with the necessity for the future Federal Government of India to have a clear knowledge of the maximum to which it is committed in any given year in respect of its extraordinary expenditure in Afghanistan and that it shall not find itself faced with demand each of which may be described as necessary or even imperative, the cumulative effect of which may be to impose, without any certainty or even prospect of relief in succeeding years, an intolerable burden on the Indian exchequer, already strained by the heavy cost of defence. For instance we are at present confronted with demands including a sum which we estimate at between 3 and 4 lakhs annually on account of subsidisation of an Indian Air Line to Kabul, and a possible further 8 lakhs in the course of the next six years in the not unlikely event of an Afghan default over the 5,000 rifles recently sold on credit to the Afghan Government. This would be increased by still further risks if the proposals for the sale of another 10,000 rifles and of a large number of aircraft fructify. We have also been called on to consider a further indefinite demand for credits to subsidize Afghan economic development. We have therefore been constrained to re-examine the proposal of Sir Francis Humphrys in 1923 (see paragraph 8 of his despatch No. 56 of 1923) [Serial No. (40) in Part XI], that a fixed annual sum should be assigned for purpose of subsidy in kind. After weighing carefully the disadvantages of this course we have come to the conclusion that on balance they are outweighed by the uncertainty involved in the present practice.
4. We are considering formation of Equalisation Reserve for extraordinary expenditure in connection with maintenance of peace on Frontier on analogy of Provincial Famine Relief Funds : detailed proposals will be submitted in due course. In calculating annual appropriation to this Reserve we propose, with your approval, to allot 5 lakhs for expenditure of nature referred to above. This figure corresponds closely enough

to actual average cost of extraordinary expenditure on Afghanistan since 1921. Balance of annual appropriation over actual expenditure will be taken to Reserve. In fixing maximum of Reserve we shall allow 25 lakhs for purposes discussed in this telegram to provide for emergencies such as that of 1931. *Pro forma* accounts of such Afghan expenditure will be maintained in addition to accounts of whole Equalisation Reserve. Careful scrutiny will be applied to all proposals to be charged to this portion of Reserve. It is essential, of course, that Afghan Government should receive no information of existence of such arrangements for their benefit; this is one reason why we prefer a Reserve on a broader basis than purely Afghan expenditure.

5. Any extraordinary demand beyond the resources of this fund especially if it relates primarily to the countering of a Russian menace to the security of India as a part of the British Empire should in the absence of very special circumstances be met by His Majesty's Government."¹

1190. After further correspondence between the Secretary of State for India and the Government of India, and between the India Office and the Treasury an agreement was reached early in April 1936 and affirmed by an exchange of letters between the latter offices. By this agreement the Government of India have agreed, besides continuing to bear the expenditure on the Legation and Consular establishments in Afghanistan, to set aside from Indian revenues a fixed annual sum of Rupees 5 lakhs a year for expenditure on material assistance, etc., to Afghanistan, which may accumulate up to a maximum of Rupees 25 lakhs. If in future expenditure which cannot be met from this fund is required on some object on the desirability of which both His Majesty's Government and the Government of India agree, the Treasury will consider the making of a contribution from Imperial funds.

The wording of the letters² is as follows :—

“Enclosure No. 1 to Serial No. (212) :—*India Office to Treasury.*

P. Z. 2376/36.

INDIA OFFICE,
29th April 1936.

SIR,

I am directed by the Secretary of State for India to say that the Government of India have raised the question of the incidence between Imperial and Indian revenues of expenditure incidental to the execution of the policy of His Majesty's Government in regard to Afghanistan. They desire that some limitation should be placed on their future liabilities under this head.

2. The Government of India are ready to continue to bear the annual expenditure on His Majesty's Legation at Kabul and the Consular establishments in Afghanistan, which amounts approximately to Rs. 4.45 lakhs a year. They also propose to set aside from Indian revenues a fixed annual sum for expenditure on material assistance rendered to Afghanistan to maintain her friendship and stability. They propose to fix this annual appropriation at Rs. 5 lakhs a year (*i.e.*, more than the average of the expenditure during the past 13 years for this purpose), and they have provisionally transferred a sum of Rs. 5 lakhs in their accounts for the year 1935-36.

¹ Telegram to I. O., London; No. 2475, dated 14th September 1935 (A. S. LVIII, 42).

² Enclosures 1 and 2 to Secret Despatch from I. O., London, to the G. G. of India in Council, No. 1, dated 13th June 1936 (A. S. LX, 212).

The balance of this annual appropriation over the actual expenditure in any one year would be taken to reserve, where it would accumulate up to a maximum of Rs. 25 lakhs, this high maximum of the proposed reserve being allowed for the purpose of providing against emergencies such as that of 1930-31, when 10,000 rifles with ammunition and the sum of about £175,000 were given to the Afghan Government. As a corollary of the establishment of this special fund the Government of India would naturally expect that in future, if expenditure which could not be met from the fund were required on some object of policy in relation to Afghanistan which both His Majesty's Government and the Government of India agreed was desirable, its incidence would form the subject of discussion between the two Governments, which would proceed on the presumption that India had already, by the voluntary establishment of the special fund, fulfilled her own obligations in respect of additional expenditure of an ordinary kind; and the Government of India would, therefore, trust that, in the event of further expenditure (beyond the capacity of their fund) being required, the case for its being borne or shared by His Majesty's Government would be favourably considered, especially if its object was primarily to counter some specific danger of Russian penetration in Afghanistan.

3. I am to enquire whether the Lords Commissioners of the Treasury are prepared to give the general undertaking which the Government of India desire to have before establishing the proposed fund.
4. In this connection the Government of India have given an assurance that endeavours would be made to draw gradually on the fund during the first few years of its existence and thus to give time for a reserve to accumulate. They would, moreover, furnish annual statements for submission to the Lords Commissioners, showing the expenditure incurred, the general position of the fund and probable future commitments. I am also to explain that if it were decided to incur any expenditure on the subsidising of industry in Afghanistan or the grant of a credit to the London branch of the Afghan National Bank, it is not contemplated that such expenditure would fall upon the fund.
5. A copy of this letter is being sent to the Foreign Office.

I am, etc.,

L. D. WAKELY.

The Secretary to the Treasury.

Enclosure No. 2 to Serial No. (212) :—*Treasury to India Office.*

S. 40511.

TREASURY CHAMBERS,
21st May 1936.

SIR,

I have laid before the Lords Commissioners of His Majesty's Treasury Sir Leonard Wakely's letter of the 29th April (P.Z. 2376/36), on the subject of the incidence between Imperial and Indian funds of the expenditure incidental to the execution of policy in regard to Afghanistan, and I am to request you to convey to the Secretary of State for India the following reply.

2. My Lords note that the Government of India, in addition to continuing to meet the annual expenditure on His Majesty's

Legation at Kabul and on the Consular establishments in Afghanistan, propose to set aside annually a fixed sum of Rs. 5 lakhs, commencing in 1935-36, for expenditure on material assistance rendered to Afghanistan to maintain her friendship and stability. Any sum unspent from this annual appropriation would be carried to reserve, where it would accumulate up to a maximum of Rs. 25 lakhs. The Government of India would endeavour to draw gradually on the fund during the first few years, and thus give time for a reserve to accumulate.

3. If in future expenditure which could not be met from this fund were required on some object of policy in relation to Afghanistan which both His Majesty's Government and the Government of India agreed was desirable, My Lords would be prepared to discuss its incidence, and if satisfied as to the necessity for the proposed expenditure, would consider the making of a contribution from Imperial funds towards such expenditure as could not be defrayed from the fund. It will be appreciated that Parliamentary sanction would be required for any contribution from Imperial funds.
4. My Lords note that They will be furnished with an annual statement showing the expenditure incurred, the general position of the fund and probable future commitments, and that if it were decided to incur any expenditure on the subsidising of industry in Afghanistan or the grant of a credit to the London branch of the Afghan National Bank, it is not contemplated that such expenditure would fall upon the fund."

I am, &c.,

R. V. NIND HOPKINS.

The Under Secretary of State
for India.

The constitution of the Fund in this form does not mean that the Government of India intends to spend any particular sum in any particular year.

1191. Proposals for Development of Railways.—A despatch containing the Government of India's views on the development of railways in Afghanistan as they were in 1926 is quoted in paragraph 584 of the Afghan Précis of 1927. Sir Francis Humphrys' comments on the despatch are reproduced in the succeeding paragraph.

1192. Developments during 1928.—King Amanullah had surveys actually carried out during 1928 both by a French firm and by a German firm.¹ Sir Francis Humphrys again gave his views in the following telegram to the Foreign Office, London.

"Following are my views²:—(1) King has determined to introduce railways into Afghanistan but not necessarily immediately.

(2) There is no security to offer to a foreign company and no money in the country to finance railway construction.

(3) If built by foreign company cost of Railway connecting with India would be far greater than if constructed by North-Western Railway and it would be heavily over capitalised from abroad.

(4) No extensive railway constructed by a foreign company and worked by Afghans with the help of foreign employees would return sufficient profit even to pay commercial interest on capital.

¹ Para. 750.

² From Min., Kabul, to F. O., London, No. 109, dated 16th August 1928 (A. S. XXIV, 247).

- (5) If it involves increased taxation railway will be intensely unpopular with Afghan people.
- (6) Surveys with primary object of discovering what railway would cost, what mineral wealth there is in the country and without any fixed intention of granting contract for construction to any of the parties approached are being invited by King from French, Germans and possibly Americans.
- (7) It seems to me most improbable that any foreign company would risk sinking large amount of capital in such a country as Afghanistan without British political and financial backing.
- (8) For the reasons given in (4) and (5) above, and because a railway from Chaman to Kushk would, I understand, impose largely increased military burden on India, British backing should be withheld.
- (9) I am confident that King would turn to us before Russians if foreign companies fail to raise necessary capital.

I think that at this stage we should neither obstruct nor encourage any of the foreign prospecting companies, but if necessity arises later should exert diplomatic pressure to defer construction of any railway which is held to threaten security of India as long as possible.

I should feel best able to turn situation to our advantage if I were authorised to encourage King when suitable opportunity offers to hope for railway extensions by British Indian agency on Chaman-Kandahar-Ghazni-Kabul alignment on very generous terms provided that he postponed Kandahar-Herat-Kushk extension for an agreed period.

I do not propose discussing situation by despatch until I have more material to go on. It may be that King would prefer connecting Kabul with Thal in the first instance."

1193. It became known later that the French party backed by Sir Basil Zaharoff had got in ahead of a Germano-Afghan syndicate which King Amanullah had formed during his stay in Berlin¹. The latter was also given facilities for survey.

1194. An appreciation of the work of the Survey Party and of possibilities of future development was made by the Military Attaché, as follows² :—

"(1) Messrs. Clemenceau and Makcheef have now returned from carrying out a preliminary railway survey and are only awaiting an interview with the King before returning to France, where they will finally decide whether they will be able to carry out the project or not. The main points with which they are concerned are :—

- (a) Whether the necessary capital will be forthcoming.
- (b) To what extent they may expect British support.
- (2) As regards the former, they appear to have some grounds for thinking that the capital required will be available ; but they have not mentioned, except vaguely, from what source they expect to be financed. After having seen the area they are much more optimistic, than formerly, that the railway will eventually become a paying concern.
- (3) As far as can be ascertained they will do everything possible to gain British support, and it will be seen later how they propose to accomplish this object.
- (4) The proposed alignment is, firstly, from Chaman to Kandahar. This will be a double line and it will be suggested that it

¹ Telegram from F. O., London, to Min., Kabul, No. 57, dated 11th August 1928 (A. S. XXIV, 214).

² Despatch from Min., Kabul to F. O., London, No. 97, dated 13th October 1928 (A. L. XXV, 160).

would conform to the Quetta-Chaman gauge. Kandahar will then be organised as a railway centre for Afghanistan; workshops will be built; accommodation provided, and headquarters established. A single line will then be constructed to Herat, probably *via* Girishk-Dilaram-Farrah-Anadara and Sabzawar.

- (5) M. Clemenceau says that except for the Helmund, the bridging of the rivers *en route* presents little difficulty. It is proposed to bridge the Helmund with a single span, 120 metres long, connecting with a long embankment to the East.
- (6) From Herat to Kushk it appears to be definitely impossible for a railway to follow in the vicinity of the present road alignment. The line will run from Herat to Kushan and thence direct to Kushk.
- (7) On completion of the Chaman-Kushk railway, the Kandahar-Kabul line will be constructed; a single line which will present no difficulty as far as Ghazni. From Ghazni to Kabul, three possible alignments are under consideration, and this portion may be operated by hydro-electric power. The Kandahar-Kabul line is to be treated purely as a feeder and subsidiary to the main line.
- (8) The entire survey has been carried out on the basis that no gradient should be in excess of 1 in 100. The whole construction as proposed above is estimated to cost fifty million dollars, or approximately £15,000 per mile inclusive of engines, workshops and rolling stock.
- (9) As regards traffic possibilities, it is optimistically hoped to run as many as 20 trains a day on the main through line and by this means to capture 2 per cent. of the sea-borne trade of India, from Europe, on the assumption that goods can be carried from Western Europe to Afghanistan in 14 days.
- (10) The survey party visited the so-called oil fields of Herat and appear to be pleased with the result of their inspection. Coal is said to be available near Gardez, and was found at Herat; the latter being of a freely burning description. Some gold was seen near Kandahar, but not in sufficient quantities to make it a paying proposition. M. Makeheef is somewhat reticent on the mineral possibilities of the country which he has surveyed.
- (11) The French railway mission hope to obtain the goodwill of the British by the proposal of a double line from Chaman up to Kandahar, and the siting of the workshops and Headquarters at Kandahar, both of which they think would suit British interests. They appear to have been given to understand that any railway construction in Afghanistan, and especially the linking up of Chaman and Kushk, is viewed with disfavour by the British Government; for this reason they are persistent in pointing out that King Amanullah is determined to have railways and that the economic and material progress of Afghanistan is such as to make the early construction of railways inevitable. Under these circumstances they consider that the British Government should now support their project, which has been framed to suit British interests as far as it was possible to do so.
- (12) The rival party consisting of German engineers who, it is understood, have no actual contract with the Afghan Government, are not considered by the French party to be their serious competitors. The French have a regular signed contract granting them certain concessions, whilst the Germans, in M. Clemenceau's opinion, are a second string and will only come into the picture should the French party decide not to

proceed with the work. There is, however, another side to this question. The German party consider that their only hope of successfully out-manoeuvring the French lies in the fact that M. Clemenceau's ideas are far too extravagant for Afghanistan and his scheme is dangerously over-capitalised. In consequence the Germans may possibly go to the other extreme. They ridicule all idea of a trans-continental line linking Europe to India; wagon lit accommodation; express trains; through traffic, etc. Their project and estimates will probably be based on the fact that Afghanistan, being a poor country and in its infancy, should deal with the problem of railway construction only up to the limit of its own resources.

(13) The Germans have not yet completed their survey, but it is thought that they will suggest the cheapest possible solution to the Afghans' desire for railways, probably something on the following lines :—

(a) A single track metre gauge from Chaman to Kabul, *via* Kandahar, utilising as far as possible, the present road alignment.

(b) Estimate without rolling stock, inclusive of bridges, etc., £600,000.

The Germans declare that such a line would repay its initial cost in two years at the most. They base their hopes on the export trade; cereals; fruits; skins, etc., especially of wheat from the newly irrigated lands in the Ghazni area. In this area wheat can be purchased at £5 per ton: allowing £3 per ton for freight by rail from Ghazni to Karachi, a substantial profit is still available in the Karachi markets. They also estimate that goods of any description could be imported into Kabul from India at £2 per ton instead of at £15 per ton as at present by motor transport.

(14) In a recent speech, H. M. King Amanullah stated that he was anxious to have railways in his country and for this purpose had granted facilities for preliminary surveys to French and German parties. As no nation would build rail-roads in Afghanistan without profit to themselves, he considered it would be better not to have these preliminary surveys carried out by nationals of any friendly neighbouring country. As regards alignment, His Majesty repeated the arguments which M. Makcheef had previously employed—namely, that on a line North of Kabul it would take two engines to pull three wagons on account of the mountainous area traversed, whilst in West Afghanistan one engine could pull eighteen to twenty wagons. The King also stated publicly that if neither of the above parties submit suitable schemes, or both decline to proceed with the work, the Afghans will only be out of pocket a comparatively small sum and will have acquired valuable plans and surveys on which to base further schemes.

(15) It would appear that the French programme may fail through over capitalisation. Allowing for an initial expenditure of something over ten million pounds sterling, a clear profit, after allowing for all working expenses, of nearly one million a year would be expected by any financial trust which backs the scheme and takes into consideration the present uncertainty of a continuous stable Government in Afghanistan.

(16) The idea of twenty trains a day is not understood as neither the Chaman-Quetta line nor the Kushk-Merv line could handle this traffic. As regards bridging between Chaman and Herat; having personally traversed this area in the spring, I am of opinion that M. Clemenceau, whose tour was undertaken in

the autumn, is in error when he says that except for the Helmund the bridging of the other rivers *en route* presents little difficulty. As for capturing 2 per cent. of the sea-borne trade to India, the enormous extra cost of transport by rail and the consequent increase in the selling price of such goods, would appear to make this idea impracticable.

- (17) The German scheme should appeal to an almost bankrupt nation, although it may not fulfil the exalted ideas of the Afghan Government. It is probable that if railway transport is available, the price of wheat, etc., will considerably rise at Ghazni and other wheat-growing centres.

Finally, the German scheme appears to be as under-estimated and meagre as the French-project is unnecessarily grandiose.

Note.—No information is available to show how the Soviet view the proposed construction of the railways in Afghanistan, nor as to whether they are taking any steps to try a particular alignment; nor even as to what alignment will suit their interests best. It is believed that they consider the French party to be in co-operation with the British, whilst it is known that they have had conversations with the German party."

1195. The views formed by the Government of India at that time are apparent from the letter which is reproduced in a later paragraph.¹

1196. The question of railway development was dropped by King Nadir Shah but has been receiving the consideration of the present Government during the last two or three years. It was raised by S. Faiz Muhammad, the Afghan Foreign Minister, in an interview with the Foreign Secretary in London in February 1936. S. Faiz Muhammad said that his Government had some idea of building a railway from Herat to Kandahar, with a branch to Kabul, and wished to know how His Majesty's Government would view the project—for example, would they see any objection to its being connected with the Indian railways at one end and with the Russian railway system at Kushk at the other end?²

1197. Colonel Fraser-Tytler gave his views on the proposal in May 1936. He reported that S. Faiz Muhammad had been in touch in Berlin with the German Firm of Lenz and Co. which had devoted some time and expense to the survey in Afghanistan³ in 1928, and had returned to Kabul with a copy of their project.⁴ Colonel Fraser-Tytler was not sure whether the Afghan Government were likely to carry on with the scheme, or whether they would find it too expensive and would shelve it without further ado. He thought that there was quite a chance that they would carry on with the idea, and recommended that His Majesty's Government and the Government of India should be prepared with their own policy. He summarised the attitude of the Afghan Government as follows:—

- "(a) They are tempted by the idea of railway development, partly out of *amour propre*, partly because it is in keeping with modern progress, and partly because they believe it may be profitable to themselves.
- (b) If the present project does not turn out to be quite beyond their financial powers, they will seek the advice of His Majesty's Government on the strategic, economic and political aspects of the problem and will be much influenced by their advice.
- (c) They will try to finance the project out of foreign capital, and will possibly ask His Majesty's Government or the Government of India to participate. They presumably will have to do so if, as is probable, the line starts from Chaman.

¹ Para. 1198.

² Despatch from F. O., London, to Min., Kabul, No. 17 (N-689/233/97), dated 5th February 1936 (A. S. LIX, 202).

³ Cf. Enclosure to H. M.'s Min., Kabul, Despatch No. 97 of 13th October 1928 (A. S. XXV, 160) (Reproduced in para. 750 of this Volume).

⁴ Despatch from Min., Kabul, to F. O., London, No. 65, dated 9th May 1936 (A. S. LX, 62).

- (d) A powerful factor in the case is the question of the comparative value in a country like Afghanistan of road and rail transport.”¹

Colonel Fraser-Tytler’s own general conclusions were as follows :—

“ My general conclusions, which are of course subject to the views of military and other experts, are that should the Afghan Government approach His Majesty’s Government for advice on the question of railway construction, every effort should be made to dissuade them from the idea, partly on the grounds of strategical and political expediency, and partly on the grounds that the finances of Afghanistan cannot at present stand so heavy a burden. If, however, in spite of such advice they should persist in their scheme this attitude would require reconsideration particularly if it seemed likely that they were inclined to turn to Russia for the assistance we were unwilling to afford them.”²

1198. The Government of India after considering these comments and reviewing the problem from various points of view, forwarded its views to the Secretary of State as follows :—

“ The Government of India have read with much interest Colonel Fraser-Tytler’s despatch No. 65, dated the 9th May 1936 and have since re-examined the whole question in the light both of the remarks contained in that despatch and also of the views previously expressed by various authorities on the same subject. The general conclusions at which they have arrived may be summarized as follows :—

(a) It is manifest that the Afghan Government will be unable to undertake without outside financial assistance any large schemes for railway construction either in North or South Afghanistan. His Majesty’s Minister’s latest reports on the oil concessions granted to American interests represented by Mr. Hart suggest that these are unlikely to produce royalties sufficient to justify any large railway construction programme. Mr. Fox’s investigations and report on the coal resources of Afghanistan are more encouraging but it is difficult to see how his somewhat grandiose schemes are to be financed in their initial stages. The position as stated by him is that coal is present in abundance in Afghan Turkestan and that if that coal can be cheaply transported to Kabul or its vicinity Afghanistan ought to achieve some real industrial prosperity. The only method of cheap transportation possible is in Mr. Fox’s view the construction of a railway either over or round the Hindu Kush Range to meet another railway from Kabul to Herat. This is an entirely different scheme from that which the Afghan Foreign Minister had in mind and, although its promise of commercial success is no doubt greater than that of railways in Southern Afghanistan, the physical difficulties to be overcome and also the cost of construction will be increased out of all proportion. The Government of India are not of course in a position to anticipate the reactions of the Afghan Government to Mr. Fox’s recommendations but, even if they should decide to pursue the scheme in spite of the obvious dangers involved in thus improving communications between Afghan Turkestan and Russia, the question of finance will still remain to be solved.

(b) It will be remembered that the Committee of Imperial Defence examined the whole question very carefully in 1928 and formed the opinion that railway construction in Afghanistan was desirable on political, economic and commercial grounds but

¹ Despatch from Min., Kabul, to F. O., London, No. 65, dated 9th May 1936 (A. S. LX, 62).

² Despatch from Min., Kabul, to F. O., London, No. 65, dated 9th May 1936 (A. S. LX, 62).

that from the strategical point of view there was much to be said both for and against any such proposal. They therefore recommended that His Majesty's Minister should receive proposals from His Majesty King Amanullah sympathetically and should report for orders. Further examination by the Government of India and the General Staff in India resulted in the general endorsement of these conclusions and in the expression of a preference for the construction of railways from Landi Khana to Kabul rather than from Chaman to Kandahar. For reasons explained in Kabul despatch No. 65 of 1936 the whole question has remained in abeyance for the last seven years and the Minister has now come to the general conclusion that should the Afghan Government ask for advice on the question of railway construction every effort should be made to dissuade them from the idea, partly on the grounds of strategical and political expediency, and partly on the grounds that the finances of Afghanistan cannot at present stand so heavy a burden. With this view the Government of India are disposed to agree. From the strategic aspect this opinion is based on the view that the existing "non-conducting" qualities of Afghan territory constitute an appreciable insurance of the security of India. At the same time I am to point out that the Government of India consider it most undesirable to give rise to any impression in the Afghan mind that His Majesty's Government are anxious by opposing railway construction to impede industrial progress in Afghanistan or the development of the mineral resources of that country. Should therefore the Minister find that the Afghan Government are determined, in spite of the financial and other difficulties referred to above, to proceed with a programme of railway construction either in Northern or Southern Afghanistan they would recommend that His Majesty's Government should ask for further particulars as regards the co-operation desired from the Indian side and should at least endeavour to induce the adoption of the Indian Standard gauge in preference to the Russian gauge."¹

1199. **The Kabul-Khyber Road.**—The improvement and re-alignment of the Torkham-Kabul road has more than once been considered as a project over which the Government of India could give material aid to Afghanistan while at the same time benefitting itself. A survey for a new alignment was carried out in 1926 by Colonel Deed, an officer of the Royal Engineers, lent for the purpose by the Government of India. The proposal to assist the Afghan Government in the re-alignment and construction of the road lapsed owing to the ultimate unwillingness of the Afghan Government of that time to accept the form of assistance offered.² The re-alignment had been expected to increase trade facilities and improve communications generally.

In June 1931 Sir Richard Maconachie raised the question again, and at the same time recommended a different re-alignment on which he had received the suggestions of Colonel Haswell and Captain Jefferis, two other experts in the construction of frontier roads. The new alignment appeared to him to have many advantages over the other two. He was also of opinion that the Prime Minister would welcome some kind of assistance from the Government of India, even though it might be only in the form of advice or perhaps the deputation of an officer to supervise the work.³

The Government of India maintained their opinion that the improvement of this particular road was an object desirable in itself, and said that they would bear it in mind for further consideration when financial conditions improved.⁴

¹ Letter to I. O., London, No. F. 134-F/36, dated 4th November 1936 (File No. 134-F/36, S. No. 5).

² Afghan Précis 1927, paras. 572-578.

³ Kabul Despatch No. 315, dated 17th June 1931 (A. S. XL, 189).

⁴ Letter to I. O., London, No. F. 555-F/30, dated 10th October 1931 (A. S. XLII, 45).

The Chargé d'Affaires was allowed to give copies of Colonel Deed's report together with Brigadier Haswell's criticism and alternative recommendations to the Afghan Government in June 1932.¹

The Afghan Government, though occasionally discussing the road with His Majesty's Legation,² have not taken any further advice or help since then. A re-alignment of a portion of the road between Kabul and Katasang, carried out by German engineers, is nearing completion, and work has commenced on the alignment which is to follow the course of the Kabul river from the Darunta gorge to Sarohi.

1200. Material Assistance in Kind.—There is no formally recognized, or periodical, subsidy either in cash³ or in kind,⁴ but in the spirit of His Majesty's Government's declaration of their desire to co-operate in the development of a friendly Afghanistan, and of their own policy of helping Afghanistan when they can afford it and when Afghanistan has asked for it and deserves it,⁵ the Government of India are in the habit of making gifts to the Afghan Government and of performing services or offering facilities to that Government at their own cost. The following are examples, additional to the gifts of arms and long-term loans already mentioned :—

1. In 1928 young Afghan cadets were given police training in England at the expense of the Government of India⁶ (paragraph 779).
2. In 1930 the Government of India sent 5,000 doses of cholera vaccine to Kabul as a gift.⁷
3. In 1936 anti-rabic serum for the treatment of the Foreign Minister was sent by air to Kabul free of charge.⁸
4. In December 1931 Colonel Haswell, R.E., and staff were sent to Kandahar to give advice on irrigation problems.⁹
5. Re-alignment of Kabul Torkham road—assistance to the extent mentioned above.
6. In 1931 the Government of India were prepared to grant a concession in railway freights on war material which the Afghan Government were importing *via* Karachi. It was expressly stated that this would not constitute a precedent. (See A. S. XXXIX, 91 and 95). The offer was in the end not communicated to the Afghan Government.
7. In 1936 Dr. Fox, a geologist in Government employ, was sent by the Government of India to carry out a geological survey at the request of the Afghan Government.¹⁰
8. In 1936 the Government of India offered to train at their own cost ten pilots and ten mechanics for the Afghan Air Force.¹¹
9. In 1928 the War Office agreed to train twenty military cadets at Sandhurst and the Government of India agreed to bear the cost (paragraph 779). (Owing to the outbreak of the rebellion the Afghan Government could not take advantage of this offer).
10. In 1930 the Government of India was ready both to give an aeroplane to the Afghan Government to make up to them for one which had become unserviceable through no fault of the Indian Government,¹² and also to send R. A. F. personnel to

¹ Express Letter to C. d'A., Kabul, No. F. 251-F/32, dated 20th June 1932 (A. S. XLIV, 265).

² *E.g.*, Despatch from Min., Kabul, to F. O., London, No. 33, dated 22nd March 1933 (A. S. XLVIII, 158), and Memo. from C. d'A., Kabul, No. 315, dated 29th September 1932 (A. S. XLVI, 25).

³ *Cf.* Telegram to I. O., London, No. 6-S., dated 3rd January 1928 (A. S. XXII, 286-A).

⁴ Letter to I. O., London, No. F-395/F-30, dated 23rd February 1931 (A. S. XXXVIII, 110).

⁵ *Cf.* Telegram to I. O., London, No. 7-S., dated 3rd January 1928 (A. S. XXII, 286-B).

⁶ Para. 779, *cf.* (A. S. XXII, 294 and 295).

⁷ (A. S. XXXIII, 182).

⁸ Despatch from Min., Kabul, to F. O., London, No. 119, dated 26th August 1936 (A. S. LXI, 2).

⁹ Letter from Baluchistan, dated 5th January 1932 (A. S. XLIII, 34).

¹⁰ Para. 1326.

¹¹ Telegram from F. O., London, to Min., Kabul, No. 69, dated 22nd October 1936 (A. S. LXI, 143).

¹² Memo. to Min., Kabul, No. D. 3253-F/30, dated 3rd August 1930 (A. S. XXXIII, 260).

repair Afghan aeroplanes¹. The Afghan Government did not take advantage of either offer.²

11. In 1935, the Government of India gave the Afghan Government a Vickers-Berthier gun.³

1201. **Supply of Arms, etc., against payment by instalments.**—Allied to the question of cash subsidies is the risk involved in supplying goods against payment by instalments. The Government of India has accepted this risk in the matter of the supply of arms and ammunition, and deliveries for which payment by instalments is being accepted have already begun. It is a condition that future deliveries will be stopped if payment on due date is not made.⁴

The first payment on a consignment of 5,000 rifles delivered in August 1935 was due on 1st February 1936, but was not received on the due date. Non-payment was found to be due to an error in procedure and not to neglect or default on the part of the Afghan Government.⁵

(The exact distribution of liability for this risk between the Government of India and His Majesty's Government is under discussion between the two Governments, but the greater part of the risk is on the Government of India.) (See paragraphs 1217 to 1219.)

1202. **Proposals for Economic Aid.**—In a despatch dated 6th November 1934 Sir Richard Maconachie made recommendations for the active encouragement by His Majesty's Government of the economic development of Afghanistan by British agency. Mr. Robertson-Taylor, a director of the firm of Oriental Carpet Manufacturers' Ltd. and an ex-President of the Punjab Chamber of Commerce, had been for some time in Kabul and had, with the concurrence of the Afghan Government, prepared various schemes for the development of Afghan industries and resources. The development of these schemes could be helped, amongst other ways, by the creation of export credits in England against which Afghanistan could purchase British machinery. Germany had shown herself willing to take the risk involved in creating these credits, and Sir Richard Maconachie hoped that Great Britain would do the same.⁶

1203. Further arguments in support of the proposal are in telegram No. 11-Katodan, dated 24th January 1935.⁷ In this telegram His Majesty's Minister pointed out that the Afghan Government had for the last five years been doing their utmost to resist Russian penetration, that matters were now playing into the hands of Russia, particularly in regard to the 'Persian lamb' trade, and that what Afghanistan now wanted from His Majesty's Government was 'not a loan which melts away and affords only temporary relief but assistance towards standing firmly on her own feet by correction of adverse balance of trade.' This help His Majesty's Government was asked to give by (a) trade facilities, especially "free transit", and (b) supply of British machinery on credit. His Majesty's Minister recommended as particularly urgent :—

- (i) The help of His Majesty's Government in the negotiations over the 'Persian lamb' trade which were at the moment in progress in London, and
- (ii) The creation of credits, a step which three other Governments, those of Russia, Germany and Japan all seemed ready to take.

1204. The negotiations between the Afghan representative in London and the Hudson's Bay Company in the matter of the 'Persian lamb' trade came to a satisfactory end in January 1936.⁸ The request for "free transit" has also been granted in principle,⁹ though details of procedure have

¹ Telegram to I. O., London, No. 324-S., dated 31st January 1931 (A. S. XXXVII, 332).

² See A. S. XL, notes page 6.

³ Express letter to Min., Kabul, No. D. 2197-F/35, dated 29th May 1935 (A. S. LVI, 297).

⁴ Para. 1219.

⁵ Despatch from Min., Kabul, to F. O., London, No. 28, dated 29th February 1936 (A. S. LIX, 208).

⁶ Despatch from Min., Kabul, to F. O., London, No. 9, dated 6th November 1934 (A. S. LV, 18).

⁷ (A. S. LV, 163).

⁸ S. No. 96 on file 575-F of 1934.

⁹ Despatch from Min., Kabul, to F. O., London, No. 71, dated 28th June 1935 (A. S. LVII, 67).

not yet (January 1937) been worked out. The credits for which the Afghan Government asked have, however, not been created. A condition precedent on which His Majesty's Government insisted was a preliminary enquiry by an expert into the financial position of Afghanistan,¹ an enquiry to which the Afghan Government did not agree.² Additional reasons why the proposals in this respect came to nothing were (1) that the Government of India had little faith in Mr. Robertson-Taylor's schemes, and would in any case not risk any money on them without further expert opinion, which it was difficult to obtain,³ and (2) that the Government of India were already committed to as much expenditure in connection with Afghanistan as they felt was justified. Free transit and the acceptance of payment by instalments on account of the arms and ammunition about to be supplied, were the utmost lengths to which they felt inclined to go.⁴

¹ Telegram from F. O., London, to Min., Kabul, No. 59, dated 28th June 1935 (A. S. LVII, 50).

² Despatch from Min., Kabul, to F. O., London, No. 98, dated 5th September 1935 (A. S. LVIII, 15).

³ Telegram from I. O., London, No. 443, dated 19th February 1935 (A. S. LV, 222).

⁴ Telegram to I. O., London, No. 925, dated 8th April 1935 (A. S. LVI, 115).

CHAPTER XVII.

ARMAMENT QUESTIONS.

1205. **The Treaty Position.**—Chapter XXVIII of Sir Richard Maconachie's *Précis* (1927) traces British policy in regard to the acquisition of arms by Afghanistan from 1893 onwards. The Government of India were bound by the Durand Agreement of 1893 'to allow His Majesty the Amir, so long as he adhered to the terms of that treaty as regards his engagements with them, free importation into Afghanistan of munitions of war'. Again in 1921, much as they would have liked, for various reasons, to have acquired the right to a voice in the question of importation of arms into Afghanistan, His Majesty's Government had in the end to concede almost the same freedom in the new Treaty of that year. The position, which is defined in Article VI of the Treaty and the attached Letters¹ I and II was described by the Government of India as follows :-

"Treaty obligations compel us to give transit through India for any arms the Afghan Government may purchase as long as the Afghan attitude is not unfriendly and provocative. From this obligation we can only escape by a new treaty, and we cannot conceive any treaty giving us relief in this respect however favourable to us it may otherwise be²."

License fees are not charged on the import of either arms or explosives imported for the use of the Afghan Government under the rights thus conferred by the Treaty.³

STOPPAGE.

1206. The right of stoppage was exercised in 1923 as a means of diplomatic pressure during a crisis, *vide* Afghan *Précis* paragraph 536, but has not been again exercised up to the time of compilation of this volume.

Arms are still occasionally held up owing to the remissness of the Afghan Government in the observance of their obligation, under Letter II, to give a detailed list to the Minister at Kabul previous to their importation.⁴

All import of arms into Afghanistan through India was stopped during the rebellion of 1928-29 for the reason that there was no recognised Government which could take delivery of them.

1207. **Concession in the matter of Railway freight on consignments of War Material.**—In 1931 as a special case, not to be taken as a precedent, the Government of India were ready to consider a concession of which the cash value was about Rs. 62,000 in the matter of railway freight on war material⁵. A request for the same concession made in 1923 had been refused.⁶ In the end no answer was made to the Afghan Government's request and the consignment came through at public rates.⁷

1208. **Procedure governing import of Arms under Article VI of the Treaty.**—The wording of the relevant portion of Letter II attached to the Treaty is :—

"Regarding the purchase of arms and munitions which the Government of Afghanistan buys for the protection of its rights and welfare Afghanistan shall from time to time before the importation of the arms and munitions at British ports, furnish a detailed list of those to the British Minister."

¹ Appendix I.

² Telegram to I. O., London, No. 1112, dated 8th September 1925 (F. No. 280-F., S. No. 188).

³ Letter from G. O. I., I. and L. Department No. 1219, dated the 8th February 1934.

⁴ *E.g.*, Express Letter from the Collector of Customs, Karachi, to Secretary, C. B. R., New Delhi, No. C. 1858, dated the 13th October 1933 (Enclosure to S. No. 94, A. S. LI).

⁵ A. S. XXXIX 91 and 95.

⁶ Para. 536 of Afghan *Précis* (1927).

⁷ Telegram to Min., Kabul, No. 258-K, dated the 23rd May 1931 (A. S. XL, 61).

In 1928 when it became necessary to tighten up the procedure a new safeguard was proposed whereby all arms should be consigned to the Afghan Government as well as merely certified by them. Although both the Home Government and the Government of India agreed that this would be a useful safeguard, it does not appear that it was ever insisted on in so many words.¹ Nevertheless, when asked to issue a license in 1930 in favour of an arms dealer for arms ordered from him by the Afghan War Ministry,² the Government of India only issued the necessary Licenses under protest. They mentioned that this appeared to be the first time that a license in respect of weapons of prohibited bore had been given to an Afghan trader, and that the license was only granted as a special case on the understanding that the articles which it covered were virtually the property of the Afghan Government. They suggested that the Afghan Government might be asked in future to arrange to import arms and ammunition of bores prohibited in India, their property, direct and not through the agency of private traders.³ His Majesty's Minister informed the Afghan Foreign Minister in the sense desired.⁴

The Government of India does not grant licenses for the import into Afghanistan of rifles and other 'weapons of precision' to private traders,⁵ but is usually willing to grant such licenses for sporting-guns, ammunition etc.,⁶ on the recommendation of the Afghan Government.

Licenses permitting Afghan high officials and other persons for whom the Afghan Government makes request to import shot-guns for their own use, are usually granted on the same terms as if the weapons formed part of diplomatic baggage.⁷

An example of the danger of any relaxation of the rules is provided by the almost certain proof that the Afghan Minister, London, in 1928 was deliberately exporting rifles for re-sale to tribesmen.⁸ It was the discovery of this which led to the tightening up of the rules mentioned above.

1209. Abuse of Treaty Concessions and Diplomatic Privilege.—Three cases of abuse of concessions are quoted in paragraph 538 of the Afghan Précis. The malpractice of the Afghan Minister, London in 1928 was almost certainly another example.

1210. Uniformity of Armament.—The difficulties caused by lack of standardised armament in an army are obvious, and the Afghans are not unaware of them. Considerable progress towards standardisation has been made recently. A rumour early in 1934 that the .303 rifle was being abandoned⁹, was received with concern by His Majesty's Government,¹⁰ though not regarded so seriously by the Government of India.¹¹ Nothing more has been heard of it since arrangements were concluded for the supply of 30,000 more rifle units and ammunition from British sources, as described in the next paragraph. The Prime Minister seems to have been influenced in his decision by guarded hints of the consideration mentioned at No. (v) therein.¹²

1211. Supply of Arms and Ammunition to Afghanistan.—The Treaty does not impose any obligation on His Majesty's Government or the Government of India to supply arms to Afghanistan, but for many reasons it is the

¹ Para. 781, sub-para. (4).

² Enclosure to Memo. No. 209 of 25th July 1930, from B. L., Kabul (File 11-F-1930).

³ No. F. 11/F/30 of 15th October 1930 (S. No. 6 on File 11/F/30.)

⁴ Kabul Memo. 209, dated the 6th November 1930 (S. No. 40 *ibid*).

⁵ Telegram P. No. 2738-S., dated the 8th December 1928 (S. No. 35 *ibid*).

⁶ *E.g.*, No. F. 31-F/32 of 1st August 1932 (S. No. 63B on File 31-F/32).

⁷ Kabul Memo. No. 386 of 14th May 1931, and F. & P. Memo. No. F. 134/F/31 of 5th June 1931.

⁸ Para. 781.

⁹ Despatch from Min., Kabul, to F. O., London, No. 47, dated the 12th April 1934 (A. S. LIII, 62).

¹⁰ Telegram from F. O., London to Min., Kabul, No. 45, dated the 23rd May 1934 (A. S. LIII, 176).

¹¹ Telegram to I. O., London, No. 1401, dated the 16th June 1934 (A. S. LIII, 248).

¹² Telegram No. 57-Forminka of 5th July 1934, and No. 101-Katodon of 26th September 1934 (A. S. LIV, Nos. 17 and 231).

established British policy not to refuse to do so. Among the reasons for this practice are,

- (i) That ordinary international courtesy requires it. There is, on the face of things, no justification for refusing the supply of arms to Afghanistan while permitting the sale of, say, a cruiser to a South American Republic.
- (ii) That it is good for British industry.
- (iii) That it furthers the fulfilment of a declared object of British policy, namely "the establishment of a strong Central Government in Afghanistan".
- (iv) That if Afghanistan wants arms, and Great Britain refuses them, she will certainly get them elsewhere.
- (v) That the standardisation of the .303 rifle, which is the standard infantry arm of the British and Indian Armies, as the equipment of the Afghan army, will facilitate supply from British sources in the event of the British having to support Afghanistan against Soviet aggression, and will thereby reduce to a minimum the danger that the fighting value of the Afghan troops might be seriously impaired at a critical moment of the operations.¹

1212. Bearing these and other considerations in mind, His Majesty's Government made a present to the Afghan Government in 1930 of 10,000 rifles with ammunition, and supplied a further 5,000 the following year against the second instalment of the long term loan.² A gift of artillery and other equipment was promised to King Amanullah after his visit to London in 1928, but owing to the outbreak of the rebellion the gift was not made.³

Another important transaction with Britain was the purchase of four million rounds of .303 ammunition from Imperial Chemical Industries.⁴ The consignment was delivered in March 1934.

1213. In the meanwhile both the British and the Afghan Governments were aware that the latter wanted to buy more .303 rifles and that the former had some to sell. After a certain amount of beating about the bush, the Prime Minister made the first definite statement⁵ in January 1935 that the Afghan Government wished to buy from His Majesty's Government 30,000 short .303 rifle-units and ammunition and 24 aircraft, and that they wished to make payment by instalments. In a long discussion⁶ with the British Minister, the Afghan Prime, Foreign and War Ministers explained that the large proposed increase in armament was required (a) to maintain internal peace, including watch and ward on all frontiers, and (b) for possible defence against Iran. They suggested payment by instalments spread over six years. The Minister of War asked at the same time to be supplied with a sample of the Vickers Berthier light automatic gun, which Afghan officers had seen during their attendance at the Delhi manoeuvres of the previous year. The British Minister took the opportunity of this discussion to raise with the Afghan Ministers the question of the Afghan attitude towards the armament of the tribes on the Indo-Afghan Frontier, and gave in a despatch dated 14th February 1935⁷ his reasons for holding that they were not to blame for recent increases.

1214. The Government of India made no difficulty about the presentation of a sample Vickers Berthier Gun to the Afghan Government, and offered delivery at Peshawar at the latter's convenience. The necessary arrangements were made in due course both for demonstration and for delivery. Negotiations for the supply of rifles and ammunition were much more protracted,

¹ F. O. Telegram No. 45-Forminka, dated the 23rd May 1934 (A. S. LIII, 176).

² Para. 890.

³ Para. 747.

⁴ Annual Report for 1934, para. 148 (A. S. LV, 260).

⁵ Telegram from Min., Kabul, to F. O., London, No. 10, dated the 24th January 1935 (A. S. LV, 162).

⁶ Memo. from Min., Kabul, No. 824, dated the 27th February 1935 (A. S. LV, 272).

⁷ (A. S. LV, 249).

owing partly to a reluctance to admit that such a large number were genuinely required and partly to difficulties over payment and responsibility in case of default.

1215. At the end of June 1935 the Government of India telegraphed to the Secretary of State that they were willing to supply 15,000 rifle units, with 600 rounds of ammunition each, delivery to be made in 3 lots at intervals of three months ; if a further 15,000 were required, these could not be delivered for another year owing to the danger of depletion of their own stock and delays in production ; the price was to be settled in discussion between the Minister at Kabul and the Afghan Minister but was to bear some relation to 21½ lakhs the cost of production ; payment by instalments spread over six years would be accepted, though the possibility of recovery was regarded as remote.¹ While the main question was still unsettled, the Afghan Government asked particularly for delivery of a large consignment to be made before the Jashan celebrations, where they were required to impress the tribesmen and for general propaganda purposes. A special effort to this effect was made, and the first consignment of 5,000 rifles reached Kabul in time. The request was made on 6th July 1935 and the rifles arrived in Kabul on 3rd August. To facilitate this the British Government undertook to make good a deficiency of 5,000 units to the Government of India in the event of an emergency arising in India.²

Certain defects which were found in this consignment were remedied later.³

1216. For a further supply His Majesty's Government were anxious that Afghanistan should take 10,000 rifles of 1914 pattern from the large surplus stocks held by the War Office.⁴ These and their ammunition which could be sold with them, were considered to be as good as new, and could be supplied very much cheaper than rifles of current pattern from India. His Majesty's Government would however require some sort of indemnity from the Indian Government against Afghan default in payment.⁵ The Afghan Government were not at first attracted by this offer, and in particular were disappointed that His Majesty's Minister was only authorised to discuss with them the supply of 10,000 more rifles, making 15,000 in all, when they wanted 25,000.⁶ However on 10th September 1935 they announced that they would like to buy 10,000 1914-pattern rifles from the War Office surplus stock, and six million rounds of new ammunition from India ; they wanted the arms and ammunition as quickly as possible, but could not make payment in less than six instalments.⁷

1217. Further delays then occurred while discussions went on between the British Government and the Government of India about liability for payment. In the end His Majesty's Government appreciated the impossibility of the Government of India's giving an immediate indemnity against Afghan default and made the following⁸ offer :—

“ His Majesty's Government having regard to importance of meeting Afghan request for ten thousand rifles without further delay are prepared pending a decision on general question and without prejudice thereto, to accept provisionally (and subject to review in the light of general settlement) the liability involved in supply of ten thousand rifles to Afghan Government against payment by instalments without insisting on their previous request for an indemnity. The decision reached by His Majesty's Government is also subject to following understanding, *viz.*, if as a result of revolution or otherwise there is a cessation of payments due from Afghan Government to Government of India and His Majesty's Government, then, in the

¹ Telegram to I. O., London, No. 1586, dated the 29th June 1935 (A. S. LVII, 52).

² Telegram from I. O., London, No. 2190, dated the 13th July 1935 (A. S. LVII, 90).

³ Memo. to C. d'A., Kabul, No. D 1572-F/36, dated the 14th May 1936 (A. S. LX, 65).

⁴ Telegram from F. O., London, to Min., Kabul, No. 63, dated the 27th July 1935 (A. S. LVII, 123).

⁵ Telegram from I. O., London, No. 2364, dated the 27th July 1935 (A. S. LVII, 124).

⁶ Telegram from Min., Kabul, to F. O., London, No. 92, dated the 8th September 1935 (A. S. LVIII, 1).

⁷ Telegram from Min., Kabul, to F. O., London, No. 96, dated the 12th September 1935 (A. S. LVIII, 29).

⁸ Telegram from I. O., London, No. 3720, dated the 19th November 1935 (A. S. LIX, 4).

event of partial liquidation of these debts being subsequently resumed, any debts outstanding in respect of ten thousand rifles would rank *pari passu* and *pro rata* with debts due to Government of India in respect of five thousand rifles already supplied and ammunition supply of which is now contemplated".

It was understood that if His Majesty's Government supplied the 10,000 rifles in this way without requiring a previous indemnity, the Government of India would supply ammunition in instalments against payment by instalments.¹ The question of the supply of a further 15,000 rifles, making 30,000 in all, was to be considered later.²

1218. Discussions over the number of rifles etc., to be supplied and the method of payment were still going on when the Afghan Foreign Minister left Kabul for a tour to Europe. He took with him instructions to carry on the discussions in London.³ At meetings with the British Foreign Secretary in January and February 1936, the Afghan Foreign Minister again insisted on his Government's need for the full 30,000 rifles for which they had asked, mentioning also their desire to buy twenty-four aeroplanes and some mountain artillery. In view of the Afghan Government's repeated insistence on this number, it was eventually decided to meet their wishes both in respect of the quantities to be supplied and in accepting payment by instalments⁴. The Afghan Government were informed of this on 23rd May 1936⁵. The offer for the sale of rifles was for 25,000 rifles in addition to 5,000 already sold; 10,000 would be delivered as soon as practicable in one or more batches, and 15,000 in further batches when the Afghan Government had received the first batch and found them satisfactory; payment in six annual instalments would be accepted.⁶ For ammunition, the offer was of 15 million rounds to be supplied in six equal annual instalments, supply of subsequent instalments being conditional on due payment by the Afghan Government for the previous supply.

1219. The Afghan Government accepted the terms so far as they related to rifles, but were not satisfied with the proposed rate of delivery of ammunition.⁷ The Government of India then made an offer to supply $7\frac{1}{2}$ million rounds, 3 million to be supplied at once, *i.e.*, in December 1936, and $4\frac{1}{2}$ million after 1st April 1937, at the rate of 1 million per month.⁸

This offer was accepted.⁹

The position at the time of compiling this volume is described in the following two telegrams:—

"Correspondence ending with Foreign's wire, No. 300, dated the 10th October 1936. Arms.

2. Foreign Minister has informed me orally that Afghan Government accept following proposals.

3. (a) *Arms*.—First batch of 3,000 to be delivered in Karachi in middle of December. Remaining batches of 2,500 each to be delivered at monthly intervals thereafter. Arms to be addressed to Consul, Karachi, who will take them over and arrange onward despatch.

(b) *Ammunition*.—Three million rounds to be delivered at Landi Kotal in middle of December. Remaining $4\frac{1}{2}$ million rounds to be delivered as soon as possible after 1st April 1937 at rate of one million a month.

¹ Telegram from I. O., London, No. 3720, dated the 19th January 1935 (A. S. LIX, 4).

² Telegram from F. O., London, to Min., Kabul, No. 113, dated 19th November 1935 and Telegram from I. O., London, No. 3721, dated the 19th November 1935 (A. S. LIX 5, 6).

³ Telegram from Min., Kabul, to F. O., London, No. 12, dated the 8th February 1936 (A. S. LIX, 159).

⁴ Telegram from I. O., London, No. 1238, dated the 9th April 1936 (A. S. LIX, 292).

⁵ Telegram from Min., Kabul, to F. O., London, No. 52, dated the 5th June 1936 (A. S. LX, 143).

⁶ Telegram from F. O., London, to Min., Kabul, No. 38, dated the 5th May 1936 (A. S. LX, 48).

⁷ Telegram from Min., Kabul, to F. O., London, No. 69, dated the 13th August 1936 (A. S. LX, 279).

⁸ Telegram to I. O., London, No. 2035, dated the 9th September 1936 (A. S. LXI, 41).

⁹ Telegram from Min., Kabul, to F. O., London, No. 84, dated the 20th September 1936 (A. S. LXI, 73).

(c) *Payments*.—Arms, first instalment. £1,364-12-0 will be paid by Afghan Government on 15th December and on 15th of each succeeding month up to and including 15th September 1937. Second and all subsequent instalments of £13,646 on 1st May 1938, and succeeding years. Ammunition. First instalment. Rs. 1,16,250 will be paid on 15th December 1936. Subsequent instalments will be paid on 15th December of each succeeding year.

1. Please wire whether I can confirm above officially.”¹

“Katodon No. 98 October 23rd. Arms. Please confirm agreement by exchange of letters or other formal means. Agreement should provide for methodical payment of instalments and on this point His Majesty’s Government would prefer that instalments on rifles should be paid on behalf of Afghan Government by a bank in London on due dates by cheques drawn in favour of Under Secretary of State for War and sent to Under Secretary of State (F. 8) War Office 78 Strand, London.

2. Although agreement will provide for completion for delivery of rifles by 15th September 1937 His Majesty’s Government anticipate that delivery could be effected in six batches one of five thousand and five of four thousand at monthly intervals first batch arriving Karachi during December or January. Arrangements for payment however may be left as stated in your telegram under reference.

3. As regards Katodon No. 104, please see India Office telegram No. 3282 to Government of India.”²

The exact implications of the Government of India’s liability in the event of Afghan default in payment were the subject of much further correspondence, and were still not settled at time of compiling this volume.³

1220. Negotiations by the Afghan Government with other sources of supply.—Throughout the period of negotiations with the British Government the Afghan Government kept in touch both with other countries and with business firms in Great Britain. Germany was particularly anxious to obtain their order, and was reported to be offering a credit of from two million to four million marks to enable them to buy ammunition from German firms.⁴ The German Government were also expecting an order for mountain artillery, and courteously informed the British Minister, Kabul of this. News of these negotiations raised the question of reconciling the Government of India’s obligation under the Treaty to allow transit of arms to the Afghan Government, with Article No. 170 of the Treaty of Versailles, to which India was a party. Article No. 170 forbade Germany to export war material of any kind. The German Government had recently denounced it, but His Majesty’s Government had not admitted their denunciation.⁵ The negotiations with Germany were completed by Sardar Faiz Muhammad, the Afghan Foreign Minister, during his visit to Europe in the spring of 1936, and were followed by an official request by the Afghan Government for transit through India of a large consignment which included pistols, machine-guns, automatic rifles, field guns, mountain-guns, anti-aircraft machine-guns, tanks and armoured cars.⁶ After considering reasons of expediency advanced by the Government of India⁷, His Majesty’s Government decided that transit should be allowed and the Afghan Government were told so in May 1936⁸.

¹ Telegram from Min., Kabul, to F. O., London, No. 98-Katodon, dated the 23rd October 1936 (A. S. LXI, 145).

² Telegram from F. O., London, to Min., Kabul, No. 76-Forminka, dated the 17th November 1936.

³ Letter from I. O., London, No. P. Z. 7217-36, dated the 29th October 1936 (A. S. LXI, 189).

⁴ Telegram from Min., Kabul, to F. O., London, No. 22, dated the 25th February 1936 (A. S. LIX, 195).

⁵ Telegram from F. O., London, to Min., Kabul, No. 18, dated the 20th February 1936 (A. S. LIX, 182).

⁶ Telegram from Min., Kabul, to F. O., London, No. 43, dated the 17th April 1936 (A. S. LX, 11).

⁷ Telegram to I. O., London, No. 1002, dated the 23rd April 1936 (A. S. LX, 18).

⁸ Despatch from Min., Kabul, to F. O., London, No. 75, dated the 30th May 1936 (A. S. LX, 138).

Messrs. Vickers were ready to sell both mountain-guns and machine-guns if they obtained an order, and to consider payment by instalments. They were told that they might negotiate direct with the Afghan Government.¹ Imperial Chemical Industries, who had fulfilled a large order for ammunition for the Afghan Government in 1933 and 1934, were also in negotiation again, and took the opportunity of the War Minister's visit to Europe to show him round their works. The Government of India had no objection to their obtaining the Afghan Government's order for ammunition again, nor to their carrying on negotiations direct.²

1221. The Minister of National Defence asked on 6th July if, in the event of his Government finding the Vickers Berthier Machine gun mentioned in paragraph 1213 suitable and wishing to buy two hundred more, the Government of India would supply this number.³ The Government of India were prevented by the terms of their contract with the manufacturers from making these guns themselves,⁴ and the Afghan Government were therefore told that they should negotiate direct with Messrs. Vickers.⁵

SUPPLY OF ARTILLERY.

1222. The Afghan Foreign Minister's request made in London to the Foreign Secretary for the purchase of a battery of mountain artillery was followed up by enquiries on the latter's part from the War Office, which was able to offer a re-conditioned battery of four 3·7 howitzers for sale.⁶ The Afghan Minister in London was told of this⁷ and said that he would give his Government's reply later.⁸ He was also told that the possibility of further supplies of the same type was remote.

The Afghan Government had said nothing more on the subject by the time the compilation of this volume was begun.

They have on various occasions ordered artillery from France⁹, Germany,¹⁰ Italy¹¹, Belgium¹² and Russia¹³.

¹ Telegram from F. O., London, to Min., Kabul, No. 28, dated the 2nd April 1936 (A. S. LIX, 268).

² Telegram to I. O., London, No. 1657, dated the 23rd July 1936 (A. S. LX, 238).

³ Memo. from Min., Kabul, No. H.B.K./10/M. A., dated the 9th July 1935 (A. S. LVII, 96).

⁴ Foreign Secretary's Letter No. 261-F/35, dated the 19th February 1936 (S. No. 31, F. 261-F/35).

⁵ Tel. No. 28-Forminka, dated the 2nd April 1936 (S. No. 33, F. 261-F/35).

⁶ Letter from F. O., London, to W. O., London, No. N. 689/233/97, dated the 17th February 1936 (A. S. LIX, 213) and Telegram from I. O., London, No. 1166, dated the 2nd April 1936 (A. S. LIX, 269).

⁷ Letter from F. O., London, to Ali Mohammad Khan, Afghan Minister, London, No. N. 2334/593/97, dated the 11th June 1936 (A. S. LX, 211).

⁸ Letter from Afghan Minister, London, to F. O., London, dated the 16th June 1936 (A. S. LX, 221).

⁹ Cf. Paras. 747 and 781 (2).

¹⁰ Cf. A. S. LX, 109.

¹¹ Cf. A. S. XL, 266.

¹² Cf. A. S. XXIII, 298.

¹³ Cf. notes page 3, A. S. XXIV.

CHAPTER XVIII.

AIR MATTERS.

1223. **The Afghan Air Force.**—During King Amanullah's reign the Afghan Air Force was 'to all intents and purposes a Russian Service'¹ King Nadir Shah took early steps to get rid of Russian personnel and to man and maintain the Air Force with Afghans. It was not however until nearly the end of his reign that he began seriously to consider expanding the Force and bringing it up to date. The first move in this direction was not made until after his death. In January 1935 the Afghan Government expressed a desire to buy 24 aeroplanes from His Majesty's Government and to have their pilots and mechanics trained by the Royal Air Force.² They wanted the aeroplanes both for internal security and for possible defence against Iran. Negotiations were prolonged for various reasons. One difficulty over supply was, as usual, the difficulty of payment, another was the fact that His Majesty's Government had genuinely not got the machines to spare, a third was that the Afghans were slow in making up their mind what type they wanted. The slowness of the negotiations was not caused by any lack of keenness on either side. On the contrary, the Afghan Government were continually pressing the British Minister for a reply to their requests, while His Majesty's Government and the Government of India both considered it of the highest importance that the Afghan Government should 'lean' generally on them in building up their air force.' The speed of negotiations took a sudden turn for the better after the flight of two British aeroplanes to Kabul in August 1936. The object of the flight was to deliver anti-rabic vaccine for the treatment of the Foreign Minister, but the opportunity was taken of allowing Afghan officials to inspect the two machines, an Audax and a Hart, and to give demonstrations of their performance.⁴ The Afghan Government were much impressed⁵ by the demonstration but found the machines expensive. They decided in the end to buy up to 8 aeroplanes from His Majesty's Government on a 6 year instalment basis, and to make further enquiries in Britain, Italy and elsewhere for machines to fulfil their remaining requirements. In order to carry out this decision they sent the Commandant of the Air Force through India to Europe. He was treated as a guest of the Government of India on his journey through India and given as many demonstrations and opportunities of discussion as possible.⁶

1224. From discussions with the Commandant, together with previous discussions of the subject in Kabul, it became clear that the maximum which the Afghan Government wanted from His Majesty's Government at the moment was the supply of twenty-four aeroplanes against payment by instalments, and the free training of ten pilots, six officer observers, and thirty completely untrained mechanics.⁷ The most to which the Government of India would at once commit themselves was the sale of five aircraft with further supplies in later years, or, if the Afghans were willing to make prompter payment than was expected, eight aircraft and the free training of ten pilots and ten mechanics. In return for this they asked for at least a confidential assurance that the Afghan Government intended 'to build up their air force from British sources as far as the latter could supply their requirements'.⁸ This offer was communicated to the Afghan Government on 3rd November 1936. The Prime Minister was somewhat taken aback at the request for

¹ A. P. (1927) Para. 545.

² Telegram from Min., Kabul, to F. O., London, No. 10, dated the 24th January 1935 (A. S. LV, 162) and Memo. from Min., Kabul, No. 824, dated the 27th February 1935 (A. S. LV, 272).

³ Telegram from I. O., London, No. 2778, dated 1st October 1936 (A. S. LXI, 104-A), and Tel. to I. O. London, No. 2282, dated the 9th October 1936 (A. S. LXI, 119).

⁴ Despatch from Min., Kabul, to F. O., London, No. 119, dated the 26th August 1936 (A. S. LXI, 2).

⁵ Telegram from Min., Kabul, to F. O., London, No. 76, dated the 2nd September 1936 (A. S. LXI, 9).

⁶ Despatch from Min., Kabul, to F. O., London, No. 139, dated the 3rd October 1936 (A. S. LXI, 114).

⁷ Telegram to I. O., London, No. 2282, dated the 9th October 1936 (A. S. LXI, 119).

⁸ Telegram from F. O., London to Min., Kabul, No. 69, dated the 22nd October 1936 (A. S. LXI, 143).

the assurance which the Government of India required, and asked for time before giving his reply. This had not been received at the time of compilation of this volume.

1225. In the meanwhile the Air Ministry had informed the Secretary of State for India that they could not promise delivery of more than six Audax or Hind Machines during the current financial year, and two more for certain in 1937 ; for the future they offered " the most favourable consideration " to Afghanistan's requirements for 1937 and 1938.¹

1226. An account of the Afghan Air Force up to 1936 is to be found in Chapter XVII of Notes on the Afghan Army, prepared by the General Staff in 1936 (confidential).

CIVIL AVIATION.

1227. **The Soviet Air Service.**—The Soviet authorities have been operating an air service from Tashkent *via* Termez to Kabul since 1927, when an agreement to regulate this service was concluded with them by King Amanullah's Government.² The Governments of King Nadir Shah and King Zahir Shah have resisted all efforts on the part of the Soviet to induce them to renew the agreement. The Soviet have however been allowed to operate an irregular air service for the carriage of diplomatic mails and for the use of the Embassy Staff ' pending the completion of the road from the Oxus boundary to Kabul.' At the same time the Afghan Government gave an undertaking to His Majesty's Government in 1930 that if ever they concluded a regular agreement for a Soviet air-service to Kabul they would give the option of making a similar agreement for a service from India to His Majesty's Government.³

1228. **Proposals for an India-Kabul Air Service.**—His Majesty's Government have in fact been toying with the idea of an Air Service to Kabul for many years past. The main objections to it were (1) that it would have to be subsidised by Government money, and (2) that its initiation would involve the throwing open of the prohibited frontier areas to private aeroplanes of all nations. There has been much discussion on the latter point, and many suggestions for its evasion, but the final decision is that the throwing open of at least a corridor would be an unavoidable consequence of the initiation of a commercial mail and passenger service between India and Afghanistan. In 1930 the Government of India expressed themselves willing to face this consequence,⁴ but a few months later a financial crisis compelled them to give up all thought of starting the service.⁵ They were pressed by the Secretary of State for India to re-consider this decision, and in 1933 informed him that the situation had changed and that they could look with less disfavour on the possibility of being invited to take up their option. They gave their conclusions on that occasion as follows :—

- " (1) That should the Afghan Government sign a convention with the Soviet Government for a Russian air service over any part of Afghan territory, the latter Government would obtain a preponderant influence in Afghanistan and would also in the absence of any other competitor establish a claim to operate similar services to the East or South of Kabul, which we could in no circumstances contemplate.
- (2) That in that event we should feel bound not merely to accept an offer made to His Majesty's Government by the Afghan Government in fulfilment of the agreement made in 1930 but indeed to press for similar convention in favour of His Majesty's Government as the only means of safeguarding our interests⁶ "

¹ Letter from Air Ministry, London, to I. O., London, No. S. 3588/II/S-6, dated the 20th October 1936 (A. S. LXI, 192).

² Para. 754.

³ Kabul Despatch No. 63 of 9th September 1930 (A. S. XXXV, 190).

⁴ Telegram to I. O., London, No. 2519-S., dated the 27th July 1930 (A. S. XXXIII, 194).

⁵ Express Letter to I. O., London, No. F. 243-F/28, dated the 20th July 1931 (A. S. XLI, 55).

⁶ Extract from Despatch from Government of India, F. and P. Dept., to Sir Samuel Hoare, No. 1., dated the 5th June 1933 (Enclosure 2 to S. No. 112, A. S. LX).

They added that they hoped that the situation contemplated would not arise, and also that they regarded the interests involved as Imperial rather than Indian and reserved their right to ask His Majesty's Government for help in financing the service, should this appear to them necessary.

1229. The question was re-opened in 1935 when the Afghan Government made a direct enquiry whether, in the event of their making an agreement with the Soviet for a regular service, His Majesty's Government would take up their option and establish a similar connecting service between India and Kabul. There were various reasons why they contemplated an agreement with Russia, including the diplomatic pressure that was being exercised on them by the Soviet, a general desire to keep up with modern progress, a realization that Afghanistan was on one of the main flying routes from Europe to Australia and the East, and the fact that the excuse of the road from the Oxus to Kabul, which was nearing completion, would not hold much longer.

1230. The terms of the convention for which Russia was pressing were for a regular mail and passenger service *via* Termez to Kabul in the summer and to Farrah in the winter—mails and passengers for Kabul in the winter being taken from Farrah to Kabul in Afghan planes. The Afghan Government, if they agreed to the convention, would stipulate that it should be on a reciprocal basis, Afghan and Russian aeroplanes operating alternately, and that all ground staff in Afghanistan should be Afghan.

1231. The Indian Government, after due deliberation sent their comments to the Secretary of State for India on 9th December 1935¹. They took serious objection to the proposed formation of a terminus at Farrah, which they considered would constitute a menace to Quetta, and recommended that the Afghans should be discouraged in every way from permitting it. They could not object to the proposed Tashkent-Termez-Kabul service but advised that the Afghan Government should be asked to insist on the following conditions:—

- “(a) That the aircraft used on these routes should be *bona fide* civil types.
- (b) That the two Conventions must be drawn up in similar terms, *i.e.*, we must receive equally favourable treatment with the Russians.
- (c) That the air services must be on a purely commercial basis, *i.e.*, there must be no diplomatic immunity or diplomatic control, such as exists at present in Kabul in regard to the Soviet Embassy.
- (d) That no Russian aircraft should be allowed to fly south or east of a line joining Herat, Kabul and Faizabad, and no British aircraft north or west of this line.
- (e) That ground facilities should be provided only at the scale essential for the service.
- (f) That, until the Afghans are in a position to provide all the ground staff, foreign assistance at Kabul, as between Russian and British-Indian, must be on a strictly 50/50 basis. North of Kabul, foreign assistance must perforce be Russian. South and East of Kabul, it must be solely British-Indian.”²

1232. The Government of India's views on the necessity of permitting other aeroplanes to fly over the North-West Frontier Province were as follows:—

“We have also examined the position with regard to Article 3 of the Convention for the Regulation of Aerial Navigation, 1919. The North-West Frontier Province has been declared a prohibited area, and to enable a civil air service to be operated between India and Afghanistan it would be necessary to open a corridor through the prohibited area. We should be prevented from taking advantage of the second paragraph of

¹ Express Letter to I. O., London, No. F. 321-F./35, dated the 9th December 1935 (A. S. LIX, 43).

² *Ibid.* ¶

Article 3 of the Convention by reason of the implied condition that the Afghans should be free to operate a similar service. Passage over the "corridor" would therefore have to be allowed to private aircraft of signatory States. But we could by rule under section 5 (2) (i) of the Indian Aircraft Act, 1934, prohibit our own aircraft (other than aircraft required for the service) from flying over the corridor, and this would at once eliminate the problem of "tourist" flights over tribal territory, and enable us to point out to other signatory States that, while we are obliged to permit casual flights over the "corridor" by their aircraft, we are so convinced of the danger of such flights that we have prohibited them for aircraft of Indian registration. Under Article 15 of the Convention, we could stop absolutely the establishment of a regular air service other than the Indo-Afghan service along the "corridor"¹.

1233. They estimated that the cost of taking up their option and running a connecting service from India to Kabul would be about Rs. 3,11,000 per annum, of which they would debit Rs. 1,53,000 to the Afghan Fund and Rs. 1,58,000 to the Government of India's budget provision for Civil Aviation. The cost to the Afghan Government of running a similar service in the reverse direction would be about the same.

1234. In the spring of 1936 much damage was done to the North Road by floods and inclement weather, and the necessity for coming to some kind of agreement with the Soviet lost some of its urgency in the Afghan Government's mind. They made no further reference to the questions which they had put to His Majesty's Minister in the previous year². In June 1936 the Government of India decided to reopen the matter themselves and asked that His Majesty's Minister should be instructed accordingly³. Meanwhile the visit of a German aeroplane to Kabul in July 1936 to survey the route *via* Afghanistan as a possible route from Germany to China⁴, showed that the Afghan Government were in touch with other countries as well as Russia.

1235. In September 1936 the Afghan (acting) Prime Minister told Colonel Fraser-Tytler that as the Russian Government had shown themselves quite unwilling to agree to the Afghan Government's proposals for a reciprocal service, and as His Majesty's Government had not seemed particularly interested in a linking service from India, the Afghan Government had dropped the matter and were devoting themselves instead to the improvement of the motor-road to the Oxus.⁵ In reporting this, Colonel Fraser-Tytler remarked that he was by no means certain that the new Soviet Ambassador, who had just arrived in Kabul, would not shortly bring the matter forward again.

AIR ATTACHÉ.

1236. **Possible appointment of our Air Attaché at Kabul.**—Article III of the Anglo-Afghan Treaty provides for the appointment of a Military Attaché to the Legation at Kabul but does not mention an Air Attaché, and the occurrence of the word 'Attachés' in the plural in Schedule II b⁶ is hardly strong enough ground for the making of the appointment without special negotiation.⁷

The Air Council of Great Britain has for some time urged the advisability of securing the right to send an Air Attaché to Kabul. In 1928, when the

¹ Express Letter to I. O., London, No. F. 321-F/38, dated the 9th December 1935 (A. S. LIX, 43).

² Telegram from Min., Kabul, to F. O., London, No. 49, dated the 8th May 1936 (A. S. LX, 57).

³ Confdl. Exp. Letter to I. O., London, No. F. 321-F/35, dated the 13th June 1936 (A. S. LX, 160).

⁴ Despatch from Min., Kabul, to F. O., London, No. 106, dated the 1st August 1936 (A. S. LX, 260).

⁵ Confdl. Despatch from Min., Kabul, to F. O., London, No. 126, dated the 4th September 1936 (A. S. LXI, 35).

⁶ Telegram to I. O., London, No. 686-S, dated the 29th March 1928 (A. S. XXIII, 119).

⁷ Cf. final words of Despatch No. 57, from F. O., London to Minister, Kabul, and para. 3 of Despatch No. 90, from Min., Kabul, dated the 14th November 1930 (A. S. XXXVI, 234).

possibility of a new Treaty with King Amanullah's Government was under consideration, the Air Council gave their views as follows :—

“ The reasons why the Air Council consider such an appointment of importance are briefly as follows :—

- (a) it is important to counter the present paramount Russian influence over Afghan Aviation. This object is most likely to be achieved by the establishment of a personal factor in our relations with the Afghan in Air matters.
- (b) Afghanistan has a land frontier marching with that of Persia and India and Air bases and landing grounds from which important centres in India can be reached. In the event of War, either against Russia or against Afghanistan herself, any operations which could take place for some time to come after declaration of war would be primarily air operations, and if these operations were successful (particularly in the case of war with Afghanistan only), they might well have early and decisive results.

The successful conduct of such operations would depend largely upon the prior knowledge of the country itself, communications and weather conditions as affecting flying at all seasons and general principles affecting flying operations in the country. Such knowledge could be acquired and sifted by an officer of first hand air knowledge, and the realization of conditions affecting the operations and maintenance of aircraft.

- (c) At present a foreign power which at all events, is a potential enemy is obtaining this knowledge while we remain in comparative ignorance and in a position of great disadvantage as compared with them.
- (d) The case for the appointment of an Air Attaché would be further strengthened as it appears to the Air Council by any offer to provide flying training for Afghan pilots and by any developments of supply or communications with Afghanistan.”¹

1237. The arguments appeared to be generally in favour of the appointment, but there were certain obstacles which would have made the request awkward. It was accordingly decided that the moment was not opportune for His Majesty's Government to take the initiative, but that if the Treaty came up for revision the necessary right could best be secured by a clause granting in general terms all the usual rights of a diplomatic mission.² Owning to the outbreak of the Rebellion nothing more came of the suggestion.

1238. In 1930 the Air Council returned to the charge.³ A copy of their letter was sent to the British Minister at Kabul, and Sir Richard Maconachie replied in despatch No. 90, dated 14th November 1930⁴. His general conclusions, with which the Government of India concurred,⁵ were that the appointment of an Air Attaché in existing conditions was neither feasible nor advisable, but that if an air service came into operation between Kabul and India there was reason to hope that the Afghan Government would accept the appointment without much demur and that the officer appointed would be given the necessary facilities for carrying out his duties. He referred also to the desirability of deputing an officer of the Royal Air Force to advise him if negotiations for the suggested air service were undertaken, and suggested that it would be of distinct advantage if the officer likely to be appointed as Air Attaché were selected for that duty. The Secretary of State for

¹ Letter from Air Ministry, London, to F. O., London, No. N. 1406/728/97/S. 26764, dated the 10th March 1928 (Enclosure to A. S. XXXVI, 151).

² Letter from F. O., London, to I. O., London, No. N-728/728/97, dated the 24th February 1928 (A. S. XXIII, 91).

³ Letter from Air Ministry to F. O., London, No. (N. 6196/6/97) S. 26784/S. 6 of 8th September 1930 (Encl. to A. S. XXXVI, 151).

⁴ Despatch from Min., Kabul, to F. O., London, No. 90, dated the 14th November 1930 (A. S. XXXVI, 234).

⁵ Letter to I. O., London, No. F. 439-F/30, dated the 29th January 1931 (A. S. XXXVII, 320).

Foreign Affairs 'accepted the views expressed by His Majesty's Minister and by the Government of India', and told the Air Ministry so¹.

1239. **Flights of British Aeroplanes to Kabul.**—The flights of British aeroplanes to Kabul during the Rebellion, which were of an exceptional nature, are mentioned in paragraphs 796—798.

1240. Two British aeroplanes flew up to Kabul in August 1936 to carry anti-rabic vaccine for the treatment of the Foreign Minister, and while in Kabul the pilots gave demonstrations of the machines' capabilities.² An offer to send anti-cholera serum by air in 1930 had been politely declined by the Afghan Government.³

(Note.—A British aeroplane bombed Kabul in May 1919⁴).

VIOLATIONS OF THE FRONTIER BY AEROPLANES.

(1) By British Aeroplanes.

1241. The situation is still much the same as it was in 1927—*vide* paragraph 559 of Afghan Précis of 1927.

"In April 1935 the Government of India informed His Majesty's Minister that on scrutinising the cases of alleged and actual air violation of the Afghan border over the previous five years they found that twenty-one complaints had been made in that period by the Afghan Government. Of these nineteen had on investigation turned out to be unfounded, but nine unreported cases had been admitted by the Royal Air Force. They asked that the attention of the Afghan Government should be drawn to this state of affairs, and to the fact that in many cases reports of violation were made by the Afghan Government weeks or even months after the occurrence was alleged to have taken place. They suggested the possibility of a convention whereby investigation should only be asked for when the alleged violation was reported within a week of its occurrence in view of the difficulty of investigating such reports with any accuracy after a long delay. This proposal was not pursued, but the attention of the Afghan Government was drawn to the matter and they were requested in their own interests to make every endeavour to expedite reports of this nature. Point was lent to this representation by the fact that an alleged violation over Dakka had taken two and a half months to report although the scene of the occurrence was in telephone communication with Kabul."⁵

(2) From the Afghan side.

1242. A German aeroplane which visited Kabul in July 1936 made a flight from Kabul eastwards and crossed the Frontier on the Indian side. Informal mention of the incident was made to the Afghan Government.⁶

FORCED LANDINGS.

(1) In Indian Territory.

1243. (i) An Afghan aeroplane crashed in the Kurram Valley near Parachinar on 13th May 1928. It contained two Russian airmen, having Russian passports with Afghan visas. The violation of the Frontier was accidental, the pilot having lost his way on a flight from Termez to Kabul. An Afghan pilot and mechanic were allowed to come from Kabul to inspect the machine,⁷ and His Majesty's Government were willing, as a special case, to supply spare parts for its repair.⁸ The machine was, however, too badly

¹ Letter from F. O., London, to Air Ministry, No. 1198/41/37 of 14th March 1934 (A. S. XXXIX, 31).

² Despatch from Min., Kabul, to F. O., London, No. 119, dated the 26th August 1936 (A. S. LXL, 2).

³ Kabul Despatch No. 41, dated the 26th July 1930 (A. S. XXXIII, 221).

⁴ A. P. (1927) Para. 45.

⁵ Despatch from Min., Kabul, to F. O., London, No. 31, dated the 7th March 1936 (A. S. LIX, 226 Para. 230).

⁶ Secret Express Letter, to Min., Kabul, No. F. 162 F/36, dated the 7th September 1936 (A. S. LXL, 25).

⁷ Telegram to C. A., Kabul, No. 145-K., dated the 17th May 1928 (A. S. XXIII, 212).

⁸ Telegram from I. O., London, No. 1343, dated the 19th May 1928 (A. S. XXIII, 223).

damaged for local repairs.¹ The two Russian airmen, the Afghan pilot and mechanic, and the damaged machine were all conveyed to the border at Torkham and returned to Afghanistan on 24th May 1928.²

(ii) A report from Bacha-i-Saqqao, during the time that he was in power in Kabul, that an Afghan aeroplane had landed in British territory, was accompanied by a request for aid. The report turned out to be incorrect,³ but the Government of India's first reactions to it were apparently friendly.

(2) In Afghan Territory.

(i) A British aeroplane which had been engaged in war-time reconnaissance over Mohmand country made a forced landing in Afghan Territory in June 1930. The pilot and mechanic were well treated by the Afghan tribesmen into whose hands they fell, and were returned unhurt to Peshawar.⁴ In spite of vigorous propaganda against the return of a machine which had been engaged in operations against Muslims, the Government of Afghanistan allowed the Royal Air Force to send a party to Basawal, near Jalalabad, to dismantle the machine, and remove it to Peshawar.⁵ The machine could have come back by air, but its return by road, as apparently unserviceable, caused less unpopularity to the Afghan Government.

(ii) A British aeroplane from among those engaged in the evacuation of the British Legation and similar work in Kabul during the rebellion, made a forced landing in Afghan territory in January 1929.⁶ The pilots were looked after by the Naqib Sahib of Charbagh, a local religious leader exercising temporal power also, and by Sardar Ali Ahmad Khan, who had at the moment some hopes of gaining the throne. They were well treated, and as a result of arrangements made with the tribesmen by these two and the British Consul, Jalalabad, were evacuated from Jalalabad by an air force machine flown up from Peshawar for this purpose. The machine which had made the forced landing though not much damaged was in a position from which recovery was impossible and had to be abandoned.

1244. Rules for air operations on the Frontier.—The latest rules relating to Military Aviation in the North-West Frontier Province and Baluchistan were issued in the Army Department letter No. 33378/3 G. S. (M. O. 1), dated 22nd February 1933, which is as follows :—

“ North-West Frontier Province :—All flying is prohibited within three miles of the Durand Line, and in Mohmand country within three miles of the so-called “ presumptive border ” which runs from Ilazai *via* the Bedmanai Pass, Yar Sar, Sar Lara Pass and the Khapak to the Kabul River at Stratigga.

2. Flying over the remaining tribal areas will be unrestricted, subject to the proviso, that, while officers of the Royal Air Force are at liberty to make journeys backwards and forwards, or in a circle anywhere over tribal territory, they shall not fly low or make a close inspection of the country without the prior sanction of the political authority concerned.

3. As a matter of courtesy, but subject to exception in case of an emergency, previous intimation should be given to the political officer concerned of any intended flights over the territories of the Nawab of Dir, the Wali of Swat and the Nawab of Amb.

Baluchistan.—All flying is prohibited within three miles of the Durand Line and the Iranian-Baluchistan border with the exception of a corridor to the frontier between Chaman and Boghra which will be free.

¹ Telegram from N. W. F. P., No. 69-P. N., dated the 23rd May 1928 (A. S. XXIII, 231).

² Letter from P. A., Khyber, to Secretary to C. C., N. W. F. P., No. B. VII/12, dated the 24th May 1928 (A. S. XXIII, 245).

³ Telegram from Afghan Foreign Min., Kabul, to Minister, Kabul, dated the 29th April 1929 (A. S. XXVII, 739).

⁴ Memo. from N. W. F. P., No. 2405-P. C., dated the 26th June 1930 (A. S. XXXII, 263).

⁵ Telegram from Min., Kabul, No. 57, dated the 21st June 1930 (A. S. XXXII, 202).

⁶ Telegram from Min., Kabul, to F. O., London, No. 131, dated the 1st February 1929 (A. S. XXVII, 10).

Flying over the remaining area of Baluchistan will be unrestricted.”¹

When flying close to the Durand Line seems to the Government of India to be necessary for some particular reason, they relax the 3-mile rule. On these occasions it is usual to give notice to the Afghan Government that aeroplanes will be flying close to the Durand or Presumptive Line. The rule forbidding the crossing of the Durand Line is not relaxed.

Example. Telegram No. 262, dated 31st October 1936, from Foreign, to His Majesty's Minister, Kabul.

1245. **Control of unofficial flying on the Frontier.**—Unofficial flying in the North-West Frontier Province and Baluchistan is still forbidden. Government of India's Gazette Notification No. 444-F., dated September 22nd, 1926 (paragraph 551 of Afghan Précis, 1927) has been superseded by the following² :—

NOTIFICATION.

CIVIL AVIATION.

Simla, the 2nd October 1934.

No. T-17.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 6 of the Indian Aircraft Act, 1934 (XXII of 1934), as in force in British India and as locally applied, the Governor General in Council is pleased to prohibit the flight of aircraft over any of the following areas, namely :—

- (1) The North-West Frontier Province and the Political Agencies and Tribal areas under the charge of the Governor of the North-West Frontier Province in his capacity of Agent to the Governor General.
- (2) All territory in British Baluchistan and Baluchistan Agency Territories comprised within the following areas :
 - (a) The District of Zhob.
 - (b) That part of the Districts of Sibi and Loralai lying to the north of the parallel of latitude passing through Kach.
 - (c) The Quetta-Pishin District with the exception of territory lying to the south and east of the railway line from Kach through Bostan and Quetta to Spezand, and with the exception of territory lying within a radius of 15 miles from Quetta railway station.
 - (d) That part of the District of Chagai lying to the north of the railway line from Spezand through Nushki and Dalbandin to Duzdap and all territory lying south of the railway within 20 miles of the Persian Baluchistan frontier.

D. G. MITCHELL,

Secretary to the Government of India.

The Government of India consistently refused all requests to relax the prohibition contained in this notification.

*Examples (i) Fraulein Elly Beinhorn.*³

*(ii) Competitors in London-Melbourne Air Race.*⁴

1245A. **Supply of aircraft and parts of aircraft from India**⁵.—The notification quoted in paragraph 551 of the Afghan Précis (1927) has been superseded by another, the effect of which is the same. The notification now in force bears number 187-F, dated the 10th April 1933⁶.

¹ Letter from A. D., to C. G. S., No. 33378/3 (G. S. M. O. I.), dated 22nd February 1933 (S. No. 31, F. 189-F/31).

² S. No. 5 of File No. 506-F/34.

³ Express Letter from I. O., London, No. E. & O.-6777/31, dated the 25th September 1931 (A. S. XLII, 45A).

⁴ Telegram from I. O., London, to Viceroy, I. & L. Dept., No. 2438, dated 17th October 1934 (A. S. LIX, 283).

⁵ Afghan Précis (1927), Para. 549-552.

⁶ S. No. 3 in File No. 215-F/33.

CHAPTER XIX.

PASSPORTS, VISAS AND OTHER QUESTIONS REGARDING NATIONALITY.

1246. No problems have arisen during the period 1929—1936 making it necessary to modify any of the principles laid down in Chapter XXXI of the Afghan Précis, 1927.

On one or two occasions the Afghan Government has denied that such and such a person is an Afghan subject, in spite of his holding apparently valid passports issued by Afghan officials.¹

Hazaras (paragraphs 601-602) are no longer enlisted in the Indian Army².

1247. Passports and Visas have continued to be a source of trouble. For several years periodical trouble given by the Afghan Foreign Office or by officials working in its name was countered by mild retaliatory action, while discussion of the main question was postponed by assurances that the new Afghan Passport Code was just about to be sanctioned.³

1248. The most serious handicap was that caused to Indian lorry drivers on the Chaman-Kandahar road by the rule requiring them to obtain a fresh Afghan visa for each trip. Since the Afghan Visa Officer was posted at Quetta, seventy-eight miles from the frontier, this rule involved both expense and delay. The trouble caused was considerably reduced by the move of the Afghan Visa Officer from Quetta to Chaman in September 1934, and should be reduced almost to a minimum now by the new rule enabling transport drivers to obtain visas valid for any number of journeys for a period of six months.

1249. The long-expected Visa Code was published in November 1934. A translation of it together with a copy of a despatch containing the comments of His Majesty's Minister, is reproduced as an Appendix to this Chapter. Immediately after its introduction the penal clauses were enforced against British subjects found in Afghanistan without passports in a manner which seemed unnecessarily harsh. A number were arrested and thrown into jail without trial. Six actually died in jail. After a protest had been made to the Afghan Foreign Minister, conditions slightly improved.⁴ Instructions have been issued to His Majesty's Minister to approach the Afghan Government with a view to securing on a basis of reciprocity certain modifications in the Code so as to obtain more favourable conditions for British subjects travelling to and from Afghanistan. For a variety of reasons no progress has yet been made with negotiations on these lines.⁵

1249-A. **Appointment of Afghan Visa Officers.**—Up to 1925 Afghan Trade Agents used to issue *rahdaris* to the poorer classes of Indian subjects wishing to enter Afghanistan, but had not the power to grant visas on passports. In 1925 several cases were brought to notice in which the Afghan Trade Agent, Peshawar, had been granting visas on passports and charging fees.⁶ The Afghan Government agreed that this practice was wrong and issued orders for its discontinuance.⁷ The inconvenience resulting from strict application of these orders was so great that His Majesty's Minister, Kabul, after discussion with the Afghan Foreign Minister, proposed to the Government of India that members of the Afghan Consul General's Staff should be allowed to live at Peshawar and Quetta with powers to grant visas on national passports and

¹ Despatch from Min., Kabul, to F. O., London, No. 108, dated the 18th September 1934 (A. S. LIV, 229).

² Memo. from C. d'A., No. 113, dated the 19th October 1932 (A. S. XLVI, 97).

³ See Annual Report for 1933, para. 281-283 (Enclosure to Kabul Despatch No. 30, dated the 9th March 1934 (A. S. LII, 276)).

⁴ Rule 15 of Afghan Visa Code, 1934.

⁵ Annual Report for 1935, para. 281-282 (Enclosure to Kabul Despatch No. 31, dated the 7th March 1935 (A. S. LIX, 226)).

⁶ Kabul Despatch No. 167, dated the 18th December 1936 (F. No. 655-F/35).

⁷ E.g., Dr. Harbans Singh's passport—N. W. F. P.'s letter No. 931-P/203 of 31st January 1925 (S. No. 1 on File 664-F/27).

⁸ Enclosure to Kabul Memo. No. 156/3 of 7th March 1925 (*ibid* S. No. 3).

also *rahdaris* to the poorer class of traveller.¹ The proposal, though 'not entirely free from objection on political grounds' was accepted 'as the most practicable means of obviating the present delays and difficulties'², and the approval of His Majesty's Government was communicated to Kabul at the end of January 1926³. Discussions over the exact status of the new officials continued for over a year. In January 1927 the Afghan Foreign Office were informed as follows :—

“LETTER FROM HIS MAJESTY'S MINISTER, KABUL, TO THE AFGHAN FOREIGN MINISTER, KABUL, NO. 437/8, DATED THE 29TH JANUARY 1927.

In reply to Your Excellency's letter No. 2589, dated the 12th December 1926, I have the honour to reply that the Afghan visa officers at Peshawar and Quetta would be regarded as detached members of the staff of the Afghan Consul General in India for the purpose of issuing visas, and, as such, would be accorded privileges laid down in Schedule II of the Anglo-Afghan Treaty of 1921, including the right to correspond by cypher telegram and otherwise, and to employ a clerk, and that their records would be regarded as forming part of the records of the Afghan Consulate General in India⁴.”

1249-B. In order to remove all excuse for the continuance of the objectionable practice of an Afghan official issuing '*rahdaris*' to British subjects, an amendment was made at about the same time in the Punjab Frontier Crossing Regulation.⁵ By the new amendment no British subject, subject of a state in India, or inhabitant of territory under His Majesty's protection, is to cross the frontier.....with the intention of proceeding to Afghanistan unless in possession of either a passport duly endorsed or a pass issued under certain authority. The new Afghan Visa Officer was expected to grant visas on these passes instead of granting separate "*rahdaris*" of his own.

Frontier Crossing passes.—These passes are issued by the North-West Frontier Province Government, the Baluchistan Administration and the Kabul Legation to British born subjects or British protected persons, other than those of the superior professional classes and are valid only for crossing the Indo-Afghan frontier.

Passes issued by the Kabul Legation are known as Green Passes : their issue is confined principally to members of the Legation or Consulates' staff.

The passes issued in India are known as Red Passes.

1249-C. The Afghan Visa Officers at Peshawar and Quetta took up their duties on 20th May 1927⁶ and 29th April 1927⁷ respectively. The Afghan Visa Officer, Quetta, now lives and works at Chaman, where he moved with the concurrence of the Government of India on 6th September 1934⁸.

¹ Kabul Memo. No. 156/7 and 156/36 of 7th May 1925 and 6th November 1925 (S. Nos. 7 and 11 on file No. 664-F/27).

² Letter to I. O., London, No. 281-F of 31st December 1925 (*ibid* S. No. 19).

³ Telegram to Min., Kabul, No. 171-S. of 28th January 1926 (*ibid* S. No. 23).

⁴ Enclosure to S. No. 61, File 664-F/27.

⁵ Notification No. 249/27-G. of 21st June 1927 (F. 664-F/27, S. No. 82).

⁶ Notes page 17 of file No. 664-F/27.

⁷ Baluchistan's telegram No. 1161-G of 9th July 1927 (F. 664-F/27, S. No. 91).

⁸ Notes page 22 on F. 812-F/32.

APPENDIX TO CHAPTER XIX.

DESPATCH FROM HIS MAJESTY'S MINISTER, KABUL, TO HIS MAJESTY'S SECRETARY OF STATE FOR FOREIGN AFFAIRS, LONDON, No. 88, DATED THE 8TH AUGUST 1935.

With reference to correspondence ending with my predecessor's despatch No. 115, dated 22nd September 1933, I have the honour to inform you that the long awaited Afghan visa code received the King's assent on November 1st, 1934. A copy was received in this Legation in March, and the intervening time has been occupied with translating the text, and attempting to elucidate the obscurer passages. This last task has been made no easier by the fact that the Turkish expert who compiled the code has since died and that there is no one in the Passport and Visa Department of the Ministry of Foreign Affairs competent to explain exactly what is meant by some of the regulations, a number of which will in all probability never be enforced. The translation of the text which I forward as an enclosure to this despatch, is now however fairly clear, if read with the explanatory notes which accompany it. I have added a table of contents, and propose in the following paragraphs to offer some comments on the provisions of the code as they will affect British travellers to and from Afghanistan, with particular reference to the *Aide Memoire* which formed an enclosure to Sir Richard Maconachie's despatch No. 46 of 24th April 1933, and which was approved by His Majesty's Government as forming a suitable basis for the discussion of these questions.

2. *Diplomatic Visas* (Articles 2, 3, last sentence and note, and 28).—So far as diplomatic members of the Legation staff and their families are concerned the Afghan Government have adhered to the arrangements intimated in 1931 which limited the validity of the diplomatic visa to one year, during which any number of journeys might be undertaken. This is less liberal than their proposals of 1928, or than the proposals made in the *Aide Memoire*, but it appears from Foreign Office circular despatch (T. 3992/12/378) of April 23rd, 1935, that His Majesty's Government have themselves modified their instructions in this respect. There is however a gap in our records and this point is consequently not quite clear. Consuls General, Consuls and their official staff are granted diplomatic visas for a single journey only.

3. *Couriers' Visas* (Article 30).—The Couriers' code has not yet appeared. Meanwhile Couriers of this Legation are receiving diplomatic visas good for any number of journeys to and from India within the period of their validity which is limited to one year.

4. *Visas for non-diplomatic members or servants of the Legation and Consulate General or Consulates* (Article 29).—Here again the Afghan Government have adhered more or less to the arrangements of 1931. Persons in this class are governed by the provisions of Articles 4 and 9 but are exempted, by registration of their passports, from the provisions of Article 8. These rules are much less liberal than those proposed by His Majesty's Government, since they involve the necessity of obtaining a fresh visa for every journey to and from the country.

5. *All other subjects of the two Governments*.—This class is now governed by Articles 4 to 8 and 23 in respect to entry into and residence in the country. The three kinds of visa given in Article 4 are good for one journey only, and their varying term of validity is intended merely to regulate the period of the holder's stay in Afghanistan. I do not think any exception can be taken to the provisions of Article 5, though the last part of sub-clause (iii) is perhaps a little drastic but unlikely to be strictly enforced. Sub-clause (v) apparently refers to a class of persons similar to the one denationalised by decree after King Nadir's murder, *vide* Sir Richard Maconachie's despatch No. 4, dated the 9th January 1934, and the 6th paragraph of Major Hay's despatch¹ No. 41, dated the 29th March 1935. No list of persons affected by this decree has so far been received. Articles 6, 7 and 8 give at great length details of the

¹ In F. No. 181 (3)-G./35.

classes to whom the various visas may be given. In a recent despatch [No. 51 (E) of May 2nd], I suggested that the provisions of the new code might increase the difficulties of Indian merchants and these articles if strictly enforced will probably do so. The Afghan Government's determination to maintain the single journey visa is perhaps the most vexatious item in the whole code. Exit and transit visas are governed by Articles 9 and 10, which call for no comment, though I shall refer later to the question of the abolition of the former.

6. Three classes of persons are granted special treatment within the provisions of the code, namely, drivers of various classes of animals and vehicles and their assistants (Article 15), religious fugitives (Article 18) and nomads, shepherds, etc. (Article 19). Article 15 if applied generally is a useful and sensible provision, and should do much to assist transport drivers. I have however as yet no information that it is being applied generally, though the drivers of the Legation mail lorry now receive six monthly visas good for any number of journeys. The exemption of religious fugitives is a natural provision in an Islamic country to which no exception need be taken. As regards Article 19 the present procedure is laid down in paragraph 53 (B) of Chapter II of the Afghan passport rules a copy of which was forwarded by the Government of India to the Secretary of State for India under cover of their Foreign Secretary's letter¹ No. 101-M., dated 20th December 1923. Under these rules 'frontier people', which term presumably includes nomads and shepherds, receive a permit to cross the border from the Afghan Trade Agent or Frontier Officer. There is no information here whether this rule is actually in force. Under the Government of India's present rules persons of this class are exempt from the necessity of providing themselves with a passport or other document for entry into India.

7. Of the remaining clauses given in the *Aide Memoire* personal attendance of applicants is not mentioned in the code, but in practice the arrangements intimated by the Foreign Minister in 1931 are in force. Nor is mention made of visas valid for journeys in both directions, and with exception of the cases already mentioned such visas are not in fact obtainable. Visa fees are waived in the case of British subjects under Article 17. The proposal made by His Majesty's Government that visas should only be granted on endorsed passports does not appear in the code, nor is there any rule permitting an alteration in the code as a result of reciprocal arrangements with another country except in the case of fees already mentioned, and in the note to Article 28 respecting exemption from the provisions of the code.

8. I will now consider briefly how far the provisions of the code may be said to be reasonable, and to what extent it may be possible to secure modifications in those that inflict unnecessary hardships on travellers. Although as mentioned above no proposals for general reciprocity are made in the code itself the conversation with the Acting Foreign Minister reported in Sir Richard Maconachie's despatch No. 46, suggests that the Afghan Government may be prepared to consider modifications. In any case I presume that His Majesty's Government do not propose to accept without demur such rules as do not to some extent meet the wishes expressed in their despatch No. 21 of 12th March 1932, and I should be glad of their instructions whether to take up with the Afghan Government the points mentioned in the following paragraphs.

9. To begin with the Legations and Consulates, the yearly diplomatic visa for members of the diplomatic staff though less liberal than the proposals of His Majesty's Government appears not unreasonable. The rule should however be extended to cover families of the diplomatic staff and attachés, and Consuls General, Consuls and their families. As regards personnel of the Legation and Consulates, the six monthly ordinary visa for any number of journeys for lorry drivers is a step in the right direction but an endeavour should be made to have its period of validity extended to one year, and to include in the rule all the permanent staff of the Legation.

¹ In F. No. 768-G./1923.

10. As regards the general entry visa it will probably be impossible to secure a modification of the dreadfully complicated rules contained in Articles 6, 7 and 8. They possibly sound worse than they really are, and many of them may not be enforced in practice. The Government of India will however perhaps be able to say whether they are in fact proving unduly irksome to travellers and a hindrance to trade. But an attempt should, I think, be made to secure on a basis of reciprocity that these visas should normally be good for any number of journeys within the period of their validity. I should like also to try to arrange that the Visa Officers should have more extensive powers than at present to grant visas in cases where the *bona fides* of the applicant is beyond question, but as such a proposal would almost certainly be countered by a request for the establishment of Afghan consulates at Peshawar and Quetta, it may perhaps be better not to make it.

11. The question of the abolition of the exit visa has been raised from time to time, the last reference to it being in paragraph 5 of Foreign Office despatch No. 21 of 12th March 1932. The necessity for obtaining this visa is irksome, and it is at times withheld in an extremely arbitrary manner. At the same time it has its uses as noted by my predecessor in paragraph 7 of his despatch No. 169 of 2nd December 1931, and I am very doubtful whether the Afghan Government would agree to any proposals for its abolition or modification, particularly so long as it has its counterpart on the Indian side of the border in the frontier crossing pass, issued in Peshawar.

12. The only other points that require comment are the penal clauses (Articles 24—26). There have been several instances of late of Indian British subjects being arrested for infringement of the visa regulations and imprisoned for periods up to 10 months. It will be seen that under Article 25 (*iv*) such a punishment is legal, but I am by no means certain that the offenders have in these cases received a fair trial or indeed any trial at all. I have been in correspondence with the Government of India over these and have now received their request to lodge a protest with the Afghan Government against this apparent harsh treatment as a result of which persons have died in jail or shortly after leaving it. When discussing these cases with the Foreign Minister I shall at the same time try to discover what exactly is meant by 'a commission of Afghan administrative officers' (Article 26) and under what rules or authority they act.

13. I am sending a copy of this despatch to the Secretary of State for India and to the Government of India.

(Enclosure to Kabul despatch No. 88, dated the 8th August 1935.)

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Article.	Subject.
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4.	Entry visas. Kinds of—
5.	Proviso in relation to entry and transit visas.
6.	Short term entry visas.
7.	Limited term visas.
8.	Visas for permanent residence.
9.	Exit visas.
10.	Transit visas.
11. } 12. } 13. } 14. } 15. } 16. }	Visa fees.
17.	Visa fees. Waivure of—
18.	Exemption in cases of certain refugees—
19.	Saving clause in respect of nomads, shepherds and herdsmen.

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Article.	Subject.
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21.	Requirements in regard to passports held by foreign residents.
22.	Loss and expiry of validity of passports.
23.	Intimation of arrival to police.
24. }	Penalties.
25. }	
26. }	
28. }	
29. }	Exemptions from the provisions of the Code.
30.	Couriers.
31.	Permits de sajour.

Code relating to visas and the residence of foreign subjects in Afghanistan.

[With Explanatory Notes (appearing as footnotes).]

1. All foreigners at the time of arrival in, departure from, and when travelling through Afghanistan must be in possession of a passport in the form authorised by their Government. Persons whose nationality is not known or whose nationality is doubtful and who possess a certificate of identity will be granted a visa by the Afghan officials [specified in clause 2 (*infra*)] on the passport, *document*¹ or *written testimony* which is in their possession.

2. Officials of the Government of Afghanistan and competent consular officers are empowered to act according to the rules embodied in this code.

Consular representatives, visa officials, frontier officials and officials of the interior of Afghanistan are not authorised to grant diplomatic visas. Diplomatic visas can only be granted by diplomatic representatives, consulates general, and the Afghan Ministry for Foreign Affairs. If a holder of a diplomatic passport approaches consular representatives or Afghan visa officials, and provided an Afghan Legation is not within reach or cannot be referred to, Consuls, visa officials and frontier officials, may grant a free ordinary visa and should send intimation to the Foreign Ministry.

In countries and places where there are no Afghan officials or consular business has not been entrusted to representatives of a friendly state, the subjects of such countries will be granted visas by the competent frontier officials on arrival at a frontier of Afghanistan in accordance with clauses 6, 7 and 8, provided that there are en route no representatives of Afghanistan : this rule however will not apply to the subjects of those countries where Afghan representatives are resident or where consular business has been entrusted to a competent authority.

If they so desire the Government of Afghanistan may fix certain frontier routes for the entry and exit of foreigners.

3. Ordinary and diplomatic visas are of three kinds :—

- (i) Entry visas.
- (ii) Exit visas.
- (iii) Transit visas.

The ordinary entry visas (of which the different kinds are mentioned in clause 4) will be granted in accordance with the conditions laid down in clauses 6, 7 and 8, the ordinary exit visa in accordance with clause 9 and the ordinary transit visa in accordance with clause 10. Diplomatic visas are granted to persons specified in clause 28 *at the time*² *of their arrival* (sic.), exit and transit.

NOTE.—If diplomatic officials of friendly powers accredited to the Court of Afghanistan desire a visa valid for any number of journeys such a visa will be granted, but its period of validity will be limited to one year.

¹ Means any form of identity certificate granted by an official, *e.g.*, village headman, of the country to which the applicant belongs.

² *i.e.*, at the time of their departure from their country of origin.

4. Entry visas are of three kinds :—

- (i) Short term visa.
- (ii) Limited term visa.
- (iii) Long term visa.

The validity of a short term visa is 15 days. The validity of class 2 visa is subject to the approval of the Afghan officials who may grant such a visa for any period they deem necessary, but not exceeding six months. The validity of class 3 visa is limited to a period of one year. The¹ possession of a one year visa does not entitle the holder to perform numerous journeys. Only one journey may be performed, but a holder may remain for a period of one year from the date of entry in Afghan territory.

If a person demands a renewal of class 3 visa, or an extension, or a renewal of visas classes 1 and 2, these can be obtained from the Ministry of the Interior and the connected departments. When occasions demand, the Ministry of the Interior is empowered to alter visas classes 1 and 2.

5. Entry and transit visas for Afghan territory cannot be granted to the classes of people mentioned below :—

- (i) Foreigners who engage in immoral occupations.
- (ii) Foreigners whose coming to Afghanistan endangers the peace and order of the country and whose presence would be to the detriment of, and opposed to public interests.
- (iii) Foreigners who have undergone punishment in Afghanistan and who are under orders of deportation from Afghanistan or who have been sentenced to punishment in a foreign country.
- (iv) Foreigners who have no means of subsistence or who do not possess sufficient money for journey expenses to Afghanistan or are unable to furnish a personal security in regard to their residential expenses.
- (v) Persons of Afghan origin who have been deprived of their nationality by decree of the Government of Afghanistan, or persons who have spread propaganda harmful to the Government of Afghanistan.

6. A short term visa will be granted to the following classes of persons provided they have submitted their applications to Afghan officials :—

- (i) Tourists and persons accompanying them such as clerks and servants. Afghan officials have discretion in extraordinary cases to make enquiries regarding personal credit, funds for the journey, financial status and investments. These enquiries may be made from their native place or from the representatives of their Government.
- (ii) Well-to-do persons, men of position and standing, representatives of companies and business houses and the employees of foreign governments, provided the bona fides of these persons have been enquired into by Afghan officials and the applicants have also furnished them with genuine and satisfactory proofs of the bona fides.
- (iii) Persons for whom security has been furnished by men of position whether Afghan subjects or foreign subjects residing in Afghanistan.
- (iv) Students who come to tour Afghanistan or to visit their parents provided they have furnished Afghan officials with a *personal*² *bond*.
- (v) Afghan officials will grant the above visas on receipt of applications and forward these applications or petitions direct to departments of the Interior under the Home Ministry connected with those places which the traveller intends to visit.

If necessary permission will also have to be obtained from the Central Government in regard to the grant of a visa to certain persons.

¹ Only one journey may be made on any of these visas.

² A bond furnished by a parent or other reliable person.

¹⁷. Limited¹ term visas for entry into Afghan territory will be granted to the following classes of persons :—

- (i) The Home Ministry will act in accordance with the conditions for permanent residence laid down in clause 8 when an applicant applies to them for such residence permission.
- (ii) Traders, craftsmen, shopkeepers and the like who wish to reside in Afghanistan. Their residence will be subject to the permission of the departments of the Ministry of Commerce, the Independent Medical Directorate and the Municipality, etc., and provided the applicant has furnished a written security to the effect that he will proceed at his own expense to obtain written permission. If he cannot secure permission from the departments concerned he must return within a limited period. Such written agreement or security will be taken before the grant of a visa can be made.
- (iii) A visa will be granted to foreigners who have business connections with Afghan traders, or with foreign traders residing in Afghanistan or who have friendship with Afghan notables and gentlemen, provided that the latter give a security for good behaviour and are responsible for the journey expenses.
- (iv) If one of the conditions laid down in article 5 is overlooked by Afghan officials abroad at the time of granting a visa and comes to the notice of officials in Afghanistan, the permission granted, will, of course, be cancelled and in order that enquiries may be instituted and the matter reviewed a limited term visa will be granted to the person concerned.
- (v) Persons of world wide scientific reputations who come to Afghanistan for touring purposes provided their financial status is good and their applications have reached the Ministry of Foreign Affairs and a permission for the grant of visas to them has been issued.
- (vi) Journalists, owners of book shops, press correspondents, photographers, cinematographers and the like provided their applications have been received by the Ministry of Foreign Affairs through Afghan representatives and a permission for the grant of visas has been issued by the said Ministry.
- (vii) Persons who having come to Afghanistan for recreation and for touring purposes and who desire to stay for a limited period, provided their financial status is good and Afghan officials have made enquiries and there are no legal restraints against them. Afghan officials will obtain documents and applications from them and take action in accordance with the powers specified above and will subsequently inform the Ministry of the Interior direct. However, should necessity arise permission for the grant of visas to certain persons will also have to be obtained from the Central Government.

8. A long term visa for Afghan territory will be granted to the following classes of people provided they have submitted applications to the Ministry of the Interior. The Ministry may issue permits de séjour to the holders of

¹ The meaning of this clause is as follows. A limited term visa, i.e., one good for residence in Afghanistan for a period up to 6 months is granted to persons mentioned in sub-clause (ii) on condition that at the time of application for such visa the applicant provides a written guarantee that he will proceed to his intended place of residence in Afghanistan and there obtain a permit de séjour for the period of his stay. If he fails to obtain such permission he guarantees to leave the country. Such guarantee is waived in the case of persons mentioned in sub-clause (iii) for whom security is offered by Afghan nationals, and also in the case of visitors described in sub-clauses (v), (vi) and (vii).

Sub-clause (iv) is a saving clause. The permit de séjour will be cancelled but the limited term visa renewed while the case is being investigated.

long term visas in accordance with the regulations and conditions laid down for permanent residence as below¹ :—

- (i) Foreigners who have trade and family connections in Afghanistan and whose financial status has been confirmed by the Afghan Government during their stay, or those who have been doing business in Afghanistan for a long time past.
- (ii) Foreigners who, having the necessary personal capital, establish a commercial, industrial or financial business in accordance with the conditions laid down in the Commercial Code².
- (iii) Foreigners who are tradesmen, craftsmen or artisans and who earn their livelihood by means of their specified trades and have a reasonable capital.
- (iv) Foreigners of independent means who do not intend to work in conjunction with one another and who give a statement of their annual incomes together with a statement of their wealth.
- (v) Foreigners who intend to work in co-operation, *i.e.*, persons employed in trade and by companies, servants and clerks of trading houses with whom an agreement has been executed and whose agreement has received the official confirmation of the departments of commerce together with the following documentary enclosures :—
 - (a) They possess money for their expenses while engaged in business or possess a security bond.
 - (b) An official certificate to the effect that an applicant has no criminal record.
- (vi) Persons who are engaged for service under the Government of Afghanistan and according to an official agreement are recognised as employees of the Government of Afghanistan.
- (vii) Students who wish to acquire education in Afghan schools in Afghanistan. They must submit a security bond for their educational expenses to the Afghan officials.

9. Exit visas are free. No fee for an exit visa is to be recovered from subjects of foreign countries.

At the Headquarters of Government an exit visa, with a fixed period authorising exit from the country is granted by the Section concerned of the Ministry of the Interior, and in the provinces by a police department.

10. A visa for crossing Afghanistan is granted to an applicant provided that his passport contains all the visas necessary for entry into and transit through the places for which he is bound.

Persons possessing a transit visa cannot stay for more than 48 hours in transit at places while crossing Afghan territory except when forced or obliged to do so by circumstances, in which case a traveller must inform the police departments or the local Government prior to the expiry of the fixed number of hours. The maximum period for the validity of a transit visa is 40 days. Whenever it is desired to get this period extended on the grounds mentioned above this may be done free, when necessity arises, either at the capital by the departments concerned of the Ministry of the Interior, or in provinces by the police departments or the local authorities.

11. Visa fees for a short term visa, limited term visa and long term visa are as follows :—

- (i) The visa fee to be recovered for a short term visa and for a renewal and an extension of the period of such visa is the equivalent of two French gold francs.

¹ The applicant for the long term visa must first apply to the Ministry of the Interior for a permit de séjour. If the request is in order the Ministry informs the visa issuing authority and instructs him to grant the long term visa on application. The permit de séjour, which takes the form of a rubber stamp on the applicant's passport, is given after his arrival in the country.

² Has not yet been published.

- (ii) The visa fee to be recovered for a limited term visa and for a renewal and an extension of the period of such visa is the equivalent of five gold francs.
- (iii) The visa fee to be recovered for a long term visa and for a renewal and an extension of the period of such visa is the equivalent of ten gold francs.
- (iv) The transit visa fee to be recovered is the equivalent of two gold francs.

N.B.—Pilgrims, residents of frontier regions, mule and camel drivers, etc., motor drivers, motor cleaners and tonga drivers are exempted from the payment of the fee for short term, limited term and long term visas mentioned in this clause

12. A visa fee equivalent to one-half of a French gold franc will be recovered for each journey from mule and camel drivers, etc., and residents of the frontier possessing papers of identity. If the mule and camel drivers, etc., and the frontier residents as mentioned above travel, or have travelled, in the interior of the country, in addition to a journey in the frontier regions, they will again be charged one-half of a franc as visa fee. The period of validity of the new visa will be for 15 days.

NOTE.—Frontier regions extend for 18 kilometres.

13. A visa fee equivalent to two francs will be recovered from motor drivers, motor cleaners and tonga drivers for every journey. The period of validity of this visa will not exceed 15 days.

14. A visa fee equivalent to one gold franc is recovered by the Government of Afghanistan from travellers who come to Afghanistan on pilgrimage, but the maximum period of validity for this visa will be up to six months.

15. A visa for any number of journeys is given to foreign mule and camel drivers, etc., motor drivers, motor cleaners and tonga drivers. A tax on inward and outward journeys will be recovered according to clause 16 (*infra*) and their passports will be examined by the Afghan frontier official on each journey.

16. A visa tax for any number of journeys will be recovered from mule and camel drivers, etc., motor drivers, motor cleaners and tonga drivers as follows :—

- (a) An equivalent of five gold francs for a period of six months from mule and camel drivers, etc., who make an unlimited number of journeys.
- (b) An equivalent of 25 gold francs for a period of six months from motor drivers and motor cleaners who perform an unlimited number of journeys.
- (c) An equivalent of ten gold francs from drivers of horse-drawn vehicles. The period of validity of a visa on their passports will be reckoned with effect from the date on which the visa was obtained. Similarly, a fee as fixed above will be recovered for the renewal of a visa for an unlimited number of journeys for a further period of six months.

17. A visa fee mentioned in this code will not be recovered from the subjects of those countries which have made and which are making an agreement for free visas with the Government of Afghanistan.

18. Foreign mahajirin (religious fugitives) and refugees if entering the frontier regions of Afghanistan on reasonable grounds will be exempted from the provisions laid down in this code and will be treated as Afghan officials deem fit and proper.

19. Journeying in Afghanistan by nomads, shepherds and herdsmen who are foreign subjects will be dealt with in accordance with the separate agreements reached between the Governments of Afghanistan and neighbouring Powers.

20. In the interests of the general peace and order of the country it is possible that for certain foreigners a temporary, limited or permanent residence in, or transit through, or exit from, certain parts of Afghanistan will be limited, made conditional or prohibited.

21. A foreigner residing in Afghanistan must be in possession of identity papers, such as a passport, a document and a written testimony. If in the documents or in the permits de séjour, limited and permanent, held by foreigners the names of their wives and their children and grandchildren, male and female, and also of their sisters and their brothers dependent upon them and actually with them are entered, these¹ names will be allowed to stand in these same passports, letters and written testimonies held by them provided the males have not attained majority according to the laws enacted by their Governments.

22. Persons who have lost their passports or descriptive rolls in the course of their journey or during their stay or in cases when the period of validity of their passports or journey documents has expired during residence or a journey in Afghanistan, are required to report to the local police departments within 24 hours. Of course should a foreigner be able to prove that the period of validity of his lost permit has not expired he will be granted a residential permit by the police department according to the police rules, pending the receipt of a document from his government. If the validity of a visa on the permits of the latter class of person should have expired and the holders wish to continue residence a permit will be granted to them after recovering a fee for a residential visa provided the police departments see no objection.

23. Each newly arrived person must, when he wishes to stay for a period of 48 hours, give written intimation regarding his arrival to the local police department. Also when such a person has obtained a limited or long term visa he must call in person at the police department within a period of 4 days and obtain the necessary permit de séjour.

24. Persons acting in contravention of the rules laid down in the code (clauses 22-23) or of the restrictions entered by the departments concerned on the reverse of a permit de séjour will be sentenced to pay a fine ranging from Rs. 10 Afghanis to Rs. 100 Afghanis.

25. The following offenders will be sentenced to pay a cash fine ranging from Rs. 100 Afghanis to Rs. 1,000 Afghanis or to imprisonment for a period of from one month to one year or of a change of the place of their residence or of deportation from the country, provided they have not committed a more serious crime when they will become liable to judicial proceedings :—

- (i) A foreigner who on account of a deportation order issued against him hides or flees or after his deportation enters Afghanistan a second time without the permission of the Government of Afghanistan.
- (ii) A person who uses in his own name a passport, documents and a written testimony belonging to some other person, or a person who makes over his nationality papers and travel documents to a foreigner.
- (iii) A person who maliciously forges a passport, documents, a written testimony or a residential or a transit visa, or makes use of forged documents or aids an offender.
- (iv) A person who without a passport, documents or a written testimony and who without obtaining a visa from the officials of Afghanistan crosses the Afghan frontier into Afghanistan by an unfrequented route.
- (v) A person who has contravened the rules of this code and is under orders for deportation will have a right to select the route by which he is to be deported from the country. If a person under orders for deportation can furnish a reliable surety he may leave the country freely within a fixed period, otherwise he will be deported under escort.

¹ This does not mean that passports will be altered in such cases, but that a foreigner who though overage is included in his father's passport will have to get a separate entry visa.

26. A *trial*¹ of persons infringing the rules of this code will be held before a commission of Afghan administrative officers.

27. A visa fee equivalent to a coined French gold franc as stipulated in clauses 11, 12, 13, 14 and 16 will be recovered from an applicant for a visa at the established rate of exchange in the coinage of the country in which a visa is given to an applicant by Afghan officials.

An established rate of exchange is a rate which is confirmed by a bank at the beginning of a month and thereby is fixed for a period of three months. According to that rate a visa fee will be recovered, entered in the Government account and remitted to the departments concerned.

28. The undermentioned persons will be considered as exempted from the provisions of this code :—

- (i) All members of Royal Houses and their families.
- (ii) Diplomatic representatives : Ambassadors ; Ministers Plenipotentiary, Chargés d’Affaires, Counsellors, Secretaries of Embassies and Legations, and Military, Civil, Commercial, Naval and Air Attachés and their families.
- (iii) Consulate representatives : Consuls General and Consuls and their official staff, Vice-Consuls, Officiating Consuls, Consuls de carrière and their families.
- (iv) Afghan Cabinet Ministers and their families.
- (v) Heads of official departments and their families.
- (vi) Heads, representatives and members of National Legislatures and their families.
- (vii) Officials of the Ministry of Foreign Affairs and their families.
- (viii) Person possessing a diplomatic visa given by officials of Afghanistan.
- (ix) Members of Governments as well as members of an International League provided they have come to Afghanistan by official consent.

NOTE.—A family means a wife and children for whom the person is responsible.

If² Afghan subjects of the classes mentioned above do not enjoy in foreign countries the privileges as laid down in this code reciprocal treatment will be accorded to the subjects of those countries belonging to the classes referred to above.

29. Persons who have been exempted only from obtaining a permit de séjour and the registration of whose passports is tantamount to a permit de séjour are as under :—

- (a) The office staff of Embassies and Legations and their families.
- (b) Private servants of the Heads of Diplomatic missions who occupy the same building and are subjects of the country from which the Head of the Mission is sent, and who, beyond serving the Head of the Mission do not carry on trade or business outside the Legation, and their families.

Particulars of the persons mentioned above will be registered in the Ministry of Foreign Affairs.

- (c) The office personnel of Consulates General, Consulates and Vice-Consulates who are official or de carrière provided they are subjects of the country to which the Consular institution belongs and have no work other than their work in a Consular institution.

The passports of the above-mentioned people will be registered in the offices of the local police of the place of their employment.

NOTE.—If a person from amongst the classes mentioned above commits an act contrary to this code, the provincial authorities of the departments concerned of Afghanistan will take action through the Foreign Ministry and the provincial branches of the Foreign Ministry.

¹ The word used means ‘ trial ’, but the official explanation is ‘ investigation ’, not judicial trial.

² This sentence apparently refers to article 3.

30. Visas for couriers will be granted in accordance with the provisions laid down in the *Courier's Code*.

31. Foreigners staying in Afghanistan must obtain, in all places and within 3 months of the publication of this code, with the permission of the police, a permit de séjour. The Ministry of the Interior may take action according to clauses 7 and 8.

We decide that this code be incorporated in the laws of the Government and order that its provisions be brought into force.

(*Signature of His Majesty.*)

Dated the 1st November, 1934

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CHAPTER XX.

CORRESPONDENCE BETWEEN THE TWO GOVERNMENTS AND THEIR OFFICERS.

1250. **The King-Emperor, the Viceroy and the King of Afghanistan.**—The rules of etiquette observed for communications between the King of Afghanistan on one side and His Majesty the King-Emperor and his Viceroy on the other, are as described in Chapter XXVII of the Afghan Précis 1927, paragraph 528.

1251. Complimentary messages are sent regularly on the following occasions :—

From the King Emperor to the King of Afghanistan on the latter's birthday,¹ and on the anniversary of his accession². (The Afghan Government would have liked to receive such messages on the anniversary of their Independence Day but His Majesty's Minister advised against this.³ His Majesty's Government agreed with the Minister⁴. The anniversary of the King of Afghanistan's accession to the throne has been recently substituted for the Afghan New Year's Day⁵).

From the King of Afghanistan to the King Emperor, on the occasions of the New Year⁶ and of the King Emperor's birthday.⁷

From the Prime Minister of England to the Prime Minister of Afghanistan, on the occasion of the Afghan New Year.⁸

From the Prime Minister of Afghanistan to the Prime Minister of England on the occasion of the New Year.⁹

From incoming and outgoing Viceroys to the King of Afghanistan on the occasion of their taking up or laying down office¹⁰.

1252. Messages are also exchanged on special occasions such as the death of His Majesty King George V,¹¹ the assassination of King Nadir Shah¹², the Quetta earthquake,¹³ the attempt on His Majesty King Edward VIII's¹⁴ life, and the disaster to the airship R 101.¹⁵

1253. In addition to the telegram of condolence from His Majesty the King Emperor on the death of King Nadir Shah, similar messages were sent by the Viceroy to the new King and by the Government of India to the Afghan Foreign Minister¹⁵. All these were sent through His Majesty's Minister, Kabul, for fear that their delivery in any wrong way might adversely affect the new King's position.

¹ *e.g.*, telegram of 14th October 1936, Encl. II No. 54 of F. 29-F/36.

² *e.g.*, telegram of 8th November 1936, notes page 29 on F. 29-F/36.

³ Telegram from Min. Kabul, to F. O., London, No. 102, dated the 6th August 1930 (A. S. XXXIII, 302).

⁴ Letter from F. O., London, No. P. 6380/1930, dated the 16th September 1930 (A. S. XXXVI, 20).

⁵ Telegram from Min., Kabul, to F. O., London, No. 99, dated the 9th September 1934 (A. S. LIV, 187).

⁶ *e.g.*, telegram of 31st December 1935, Encl. 2 to No. 1, File 29-F/36.

⁷ *e.g.*, telegram dated the 2nd June 1935, Encl. to S. No. 33, File 2-F/35.

⁸ Telegram of 1st April 1936, S. No. 1 on F. 189-F/36.

⁹ *e.g.*, telegram of 31st December 1935, Encl. I to No. 1, F. 29-F/36.

¹⁰ *e.g.*, Telegram from Min., Kabul, No. 571, dated the 16th April 1931 (A. S. XXXIX, 223) and Kabul Despatch No. 59, dated the 12th May 1931 (A. S. XL, 45).

¹¹ Telegram of 21st January 1935, Encl. to S. No. 9, F. 29-F/36.

¹² Telegram No. 68-Forminka dated the 9th November 1933.

¹³ Letter from Afghan Legation, No. P. 7779/1930, dated the 16th October 1930, F. O., London (A. S. XXXVI, 300).

¹⁴ *e.g.*, telegram 19th July 1936, S. No. 2, F. 363-F/36.

¹⁵ Telegram to Min., Kabul, No. 380-K, dated the 10th November 1933.

1254. **Correspondence between British and Afghan Frontier Officials.**—New rules have been framed by the Government of India to govern the correspondence of British officials with Afghan officials, superseding those reproduced in paragraph 529 of the Afghan Précis 1927. They are as follows :—

“ *Rules for correspondence between British and Afghan Frontier Officials.*

1. Political Agents and the Assistant Political Agent, Chitral, may correspond direct with the Afghan officials whose charges border on their Agencies—
 - (a) on matters of purely local interest ;
 - (b) on more important matters where it is essential to save time.
2. Cases which might affect the relations between the two Governments are absolutely reserved for the consideration of the Government of India.
3. It is essential that both the Government of India and His Majesty's Minister in Kabul should be kept fully informed of any correspondence which has more than local interest. Copies of correspondence falling under 1 (b) will, therefore, be sent to both without delay.
4. It is important that British officers should not be exposed to the chance of a rebuff of which notice would have to be taken. Ordinarily, therefore, categorical requests should not be made. For the same reason officers of higher rank than Political Agents should not enter into direct correspondence, except in purely ceremonial letters or in the formal acknowledgment of letters addressed to them.
5. The Afghan officials with whom correspondence is permitted are given in the Appendix.”¹

APPENDIX.

Sarhaddar of Dakka.

Hakim-i-Ala of Khost (Simt-i-Janubi).

Hakim of Hariob.

Hakim of Urgun.

Hakim of Baldak.

Hakim of Asmar (Kunar).

1255. In September 1930, when a Gurkha sepoy was murdered near Chaman in circumstances which indicated that the murderers had fled to Afghan Territory, the Extra Assistant Commissioner, Chaman, wrote immediate letters to the Afghan Hakim at Kadni, asking, or rather demanding, his instant co-operation.² The Government of India found the language of these letters to be improper, and, in reply to a protest by the Afghan Government,³ offered an apology.⁴ The Government of India were at first of opinion that the entire circumstances of the correspondence constituted a serious contravention of their rules on the subject of correspondence of British with Afghan officials.⁵ Later, they decided that the correspondence was in accordance with the spirit of the rules, but that its importance was so great that copies should have been kept and forwarded both to themselves and to His Majesty's Minister, Kabul.⁶ It came to notice at the same time that it was an old practice for the Extra Assistant Commissioner, Chaman, and the Afghan Hakim of Kadni to exchange

¹ Enclosure to S. No. 12, File No. 211-E/24.

² Enclosures to B. L., Kabul's No. 464 of 31st January 1931, S. No. 22, F. 583-F/30.

³ Letter from Afghan F. O., No. 4303/3422, dated the 15th December 1930, *Ibid.* (S. No. 16).

⁴ Letter to Min., Kabul, No. F. 583-F/30, dated the 19th May 1931, *Ibid.*, S. No. 31.

⁵ Memo. to A. G. G. and C. C. in Baluchistan, No. F. 583-F/30, dated the 13th February 1931, *Ibid.*, S. No. 24.

⁶ Memo. to A. G. G., and C. C., Baluchistan, No. F. 583-F/30, dated the 19th May 1931, *Ibid.*, S. No. 30.

letters and to meet occasionally on the border. The continuance of this practice, subject on the British side to certain rules of procedure,¹ has been recognised by the two Governments².

1256. Direct correspondence between officials of one nation and tribesmen or subjects of the other in the territory of the other, is frowned upon.

Examples—

(i) Between Afghan officials and British tribesmen.

Letters from Afghan officials to Zangi and Amla, Madda Khel tribesmen³.

(ii) Between British officials and Afghan tribesmen.

Letter from Political Agent, Zhob to Sher-Jan, Afghan tribesman.⁴

¹ Memo. to A. G. G. and C. C., Baluchistan, No. 583-F/30, dated the 25th June 1931, *Ibid.* S. No. 40.

² *Ibid.*, S. Nos. 63 and 65.

³ A. S. XLVI, 232.

⁴ A. S. XLIV, 99 and 169.

CHAPTER XXI.

CONSULATES.

1257. There is little to add to Chapter XXXII of the Afghan Précis of 1927, save a few more dates and precedents.

Concessions to Consuls (paragraph 606 of Afghan Précis of 1927).

1258. The concessions allowed to Consuls in both countries have been extended. Exemption from customs duty is now allowed on a reciprocal basis to Afghan Consuls in India and to British Consuls in Afghanistan both on goods imported for their own personal use and on articles imported by them for the official use of their Consulates.¹ Free registration of one motor car has been allowed to the Afghan Consul, Bombay, by the Bombay Government.

As there are no registration fees in Afghanistan reciprocal treatment cannot at present be enjoyed by His Majesty's Consuls in Afghanistan.

A demand from the Afghan Consul, Karachi, in 1936 for exemption from "Government tax" on electricity and Customs duty on petrol was resisted on the grounds that His Majesty's Consuls in Afghanistan enjoyed no such privileges².

The Afghan Consul General, Delhi, through the Ministry of Foreign Affairs, Kabul requested exemption from "customs tax" on Afghan Government property such as carpets, utensils, etc. on moves between Delhi and Simla. The following reply was given to the Ministry of Foreign Affairs at the request of the Government of India³:—

1. The duty demanded was octroi not customs.
2. This duty is payable by Consular officers.
3. Bona fide personal and household belongings accompanying travellers to Simla are exempt from payment of this duty.
4. Should the Afghan Consul General have any complaint to make in regard to the assessment of this duty he should communicate full particulars of his complaint to the Government of India when all necessary enquiries will be made.

1259. **Arms for Consuls.**—By agreement between the two Governments on a reciprocal basis, Afghan Consuls in India⁴ and British Consuls in Afghanistan⁵ are permitted to possess without license in the country to which they are accredited two shot-guns, two rifles and two pistols.

1260. **Appointments—Afghan Consuls** (paragraph 608).—The post of Afghan Consul at Calcutta, for which provision is made in the Treaty, had still not been filled by the end of 1936.

British Consuls. (paragraph 609).—The appointments of consuls at Jalalabad and Kandahar are still filled by Indian members of the Provincial Service.

1261. Incorrect Procedure by Afghan Consuls in India (paragraph 611).

The conduct of the whole Afghan consular staff in India while the 1928 rebellion was in progress was open to objection (paragraph 806).

1262. **Apology for interference with Consul's Mail.**—In 1932, when a postal censorship was being enforced in the North-West Frontier Province, the Afghan Consul General complained that letters addressed to him were

¹ Despatch from Min., Kabul, No. 9, dated the 21st January 1932 (A. S. XLIII, 119).

² Letter from Ch. Secy., to Govt. of Sind, No. 854-P/36, dated the 8th August 1936.

³ Letter to Counsellor, British Legation, Kabul, No. D-2831-G/31, dated the 24th August 1931.

⁴ Home Department Notification No. 21/29/36 (Police), dated Simla, 16th September 1936 (File No. 378-F/36).

⁵ Personal letter No. 3009 of 26th September 1936, from the Second Secretary, Foreign Office, Kabul to the Counsellor, British Legation, Kabul (File No. 378-F/36).

apparently being subjected to censorship. An expression of regret for any inconvenience caused and an assurance that none was intended, were at once given to him¹.

1263. British Consuls in the North and Russian Consuls in the South.—The appointment of British Consuls in the North, especially at Herat and Mazar-i-Sharif is still associated in the minds of both Governments with the appointment of Russian Consuls in the South. The 'de facto' position is still as described in paragraph 618 of the Afghan Précis of 1927. In 1928, when the possibility of a revision of the Treaty was being considered, the Government of India still wanted to include some kind of written warning or stipulation, but were over-ruled by the Home Government. The final decision as embodied in instructions to Sir Francis Humphrys, was as follows :—

“ If revision is to be undertaken the British Government would desire to secure

(a) the right to appoint British Consuls at Herat and Mazar-i-Sharif.

* * * * *

(5) The British Government no longer desire to secure by treaty the exclusion of Russian Consulates from South-Eastern Afghanistan ; nor would it be desirable to deal with the subject in a letter outside the treaty. It might, however, still be pointed out to the Afghans orally, without claiming a voice in the actual question of admitting Russian Consuls, which touches Afghan independence, that there can be little or no legitimate reasons for the appointment of Russian Consuls in these parts, that they might well make it their main business to stir up trouble between the British authorities and the tribesmen, or between the British and the Afghan authorities, and that if we found this to be the case we should of course reserve all the ordinary international rights of protest against objectionable activities.

This could be said with all the more force in regard to Jalalabad, which is understood to be the area to which the Government of India's objections to the admission of Russians more especially apply, because the Afghans have not already conceded to the Russians a treaty right to appoint a Consul there, as they have at Ghazni and Kandahar. But it does not appear advisable to attempt to take advantage of this fact to retain a treaty provision excluding Russians from the Jalalabad area only. To do so would still be open to the other general objections—that it would be a departure from ordinary international practice and an infringement on Afghan independence; and it would inevitably prejudice the prospect of our being able to appoint British Consuls at Herat and Mazar-i-Sharif.”²

The question is discussed at greater length in Chapter XIII, The Northern Frontier of Afghanistan.

¹ Letter to the Consul-General for Afghanistan, New Delhi, No. D. 651-F/32, dated the 1st February 1932 (A. S. XLIII, 136).

² Letter from F. O., London, to Min., Kabul, No. 75, dated the 12th May 1928. (A. S. XXIV, 17).

CHAPTER XXII.

TRADE QUESTIONS.

1264. **Afghan Commercial Policy.**—(a) **Economic considerations.**—The main influences governing Afghan Commercial policy are of two kinds, economic and political. From the economic point of view the important feature is the balance of trade. “Afghanistan is a poor country apparently intended by nature to support only a backward and agricultural population. Its most important article of export is ‘Persian lamb’, dealings in which may amount annually to something like a million pounds sterling. Other exports are fruits (dried and fresh), carpets, hides, wool and casings. The principal imports are :—

from Russia—sugar, petroleum products, chinaware and cotton goods ;

from India—petroleum products, cotton goods, tea and cement ;

through India from other countries—sugar, cotton goods, tea, dyes, copper and motor vehicles.”

There is reason to believe that in Abdur Rahman’s reign the trade balance was favourable to Afghanistan, and “even when it was not, the receipt of the annual subsidy of over £150,000 from the Government of India must have more than made good any deficit. In Habibullah’s time the standard of living rose and the Amir’s own extravagance was excessive, but even so there were the hoarded savings of Abdur Rahman’s long reign and the British subsidy to fill any gap between income and expenditure. With Amanullah’s accession there came a marked change in the financial position. His programme of modernist reforms proved expensive in itself, and led to a rise in the standard of living among the official classes and leading families. The establishment and maintenance of Afghan diplomatic missions abroad increased the demand for foreign exchange just at a time when the loss of the British subsidy reduced the supply. Russia had, it was true, promised a subsidy to Afghanistan but the promise was not fulfilled. It was probably only by drawing freely on the remnants of Abdur Rahman’s hoards that Amanullah avoided complete bankruptcy.

When Nadir Shah came to the throne the Treasury was empty, and consequently there were no adventitious aids, such as accumulated savings or a foreign subsidy, available for balancing the budget. The Afghani rupee began to fall sharply and it became a matter of urgent importance to correct the adverse balance of trade, which for the reasons mentioned had not been able to produce its normal results during the reign of Amanullah Khan.

The Afghan Government have attempted to cope with this problem by measures intended to effect

- (a) the restriction of imports ;
- (b) the reduction of prices of imported articles, and
- (c) the development of their export trade.”¹

1265. (b) **Political Considerations.**—From the political point of view Afghanistan’s object is to prevent any one country, particularly Russia, from obtaining dominance over her through control of her export trade. Possible military aggression by Russia, or political intrigue on her behalf, are not left out of consideration, but “it is in the economic sphere that the Soviet authorities are now making their main effort. Their plan is by purchasing the bulk of Afghan products, such as “Persian lamb”, cotton, and wool, to achieve control of the whole of Afghan foreign trade, and through such control to effect by an easy development either political predominance in the

¹ Despatch from Min., Kabul, to F. O., London, No. 6-Overseas Trade, dated the 15th June 1934; S. No. 3, F. 575-F/34 (A. S. LIII, 284).

present Kingdom of Afghanistan or else the overthrow of that Kingdom, to be followed by the institution of an Afghan republic which could then be absorbed in the Soviet Union".¹

Negotiations by the U. S. S. R. for a Commercial Treaty with the Afghan Government were frustrated by the latter but, for reasons both economic and political, the Afghan Government could not entirely sever their trade connections between their country and Russia. They wish to gain as much profit as possible out of Russia's desire to trade with them, while avoiding the pitfall of becoming completely dependent on Russia for absorption of their exports.

1266. (c) **The Nationalist Motive.**—To the two factors already mentioned (*viz.*, the political necessity of regulating their commercial relations with the U. S. S. R. and the economic one of correcting the adverse balance of trade), has been added a third powerful influence. This is the 'Nationalist' idea, which in the economic sphere finds expression in the theory that profits from Afghan trade should go into Afghan pockets.²

1267. (d) **Summary.**—The objects which the Afghan Government wished to achieve are thus:—

- (a) To correct their adverse trade balance,
- (b) To control the foreign trade of the country in accordance with their foreign policy, and
- (c) To ensure that as much as possible of the profits of the country's trade should remain in Afghan hands.

1268. **State Trading and Monopolies. The Shirkat-i-Ashami.**—The formation of the state-controlled companies and the creation of monopolies, most of which went to the Company, were measures directed to the achievement of all these objects. The principal state-controlled Company is the Shirkat-i-Ashami, the inauguration of which was announced in 1932 (paragraph 867).

1269. In the matter of the correction of the adverse trade balance the Ashami Company seeks to reduce the price of imports in two ways, by bargaining with the manufacturer for large quantities and by eliminating the middle-man. Politically it is expected to control foreign trade by relating the principal imports and exports of the country to the Government's trade policy. From the nationalist point of view it is to bring profit to the State and its other shareholders by the elimination of the middle-man. For all these purposes it has been granted monopolies of the import of sugar, petrol, motor-oil, motor-vehicles and accessories, a controlling voice in the monopoly of the export of "Persian lamb", and the sole right to the transaction of all Government purchases and sales.³ It holds also other concessions which are mentioned later.

1270. **Abdul Majid.**—The Managing Director of the Ashami Company is Abdul Majid. He was born in 1894 and is a native of Herat. He went to Russia while still very young and there made a considerable fortune in business which consisted largely, as he admits, of smuggling contraband goods.

Losing much of his money in the Russian Revolution, he migrated to Germany where he was engaged in discounting Soviet bills on the "Black Bourse". His connection with Russia has made him suspect in certain quarters, but there is no evidence of any inclination towards Soviet interests in his direction of the Ashami Company, and his antecedents seem unlikely to make the Soviet Government regard him with any favour. Representatives of British firms have found him on the whole frank, straightforward and cordial, though a hard bargainer and not above adapting his sentiments to those of his hearers. He is an untiring worker and apparently incapable of delegating authority⁴ (Extracts from "The Commercial Policy of the Afghan Government 1930-1934").

¹ Sub-Encl. II to S. No. 82, File 575-F/34.

² Despatch from Min., Kabul, No. 6-Overseas-Trade, dated the 15th June 1934 (F. 575-F/34, S. No. 3).

³ [Note.—The formation of a Government Stores Department and relieve the Shirkat-i-Ashami of this function has recently been mentioned.

⁴ Enclosure to S. No. 3. F. 575-F/34, para. 7.

He went on a visit to Europe in 1936, from which he had not returned by the end of the year. The principal objects of his visit are supposed to be to develop Afghan export trade and to negotiate credits for Afghanistan in manufacturing countries.

1271. Constitution of the Ashami Company.—According to the prospectus issued in June 1933 the Ashami Company has an authorised capital of about Rs. 35 million Afghani, or £745,000 sterling. In the balance sheet for the year ending March 1934 the paid up capital was shown as Rs. 18,33,431·74 Afghani.¹ The Company is divided into two branches, the National Bank and the Ashami Company proper. The National Bank has the right to issue bank notes. It has granted the trading branch of the Company a loan of 20 million Afghani at 8 per cent. The Government invested 3 million Afghani rupees in the purchase of shares in the Company in September 1933.

1272. Activities of the Ashami Company.—During 1933 the Ashami Company did big business in the import of motor vehicles, cotton goods, sugar and petrol, and in the export of "Persian lamb". Its contract for motor vehicles was with the American firm of General Motors, and for cotton goods with a Japanese firm. It had an agreement under consideration for the import of sugar and petrol from Russia against the export of 'Persian lamb'. This agreement would not preclude the import of sugar and petrol from other countries, and in order to avoid becoming entirely dependent on Russia for these commodities, the Company continued to import petrol from India and sugar from Java. Both could have been imported at cheaper rates from Russia. In the same way, although the Soviet offered tempting terms for the grant of the exclusive right to buy 'Persian lamb', the Company showed marked readiness to deal with firms from other countries.²

During 1934 the Company's most important activities were concerned with 'Persian lamb'. It handled the negotiations badly and was finally forced to make sales at prices below those which foreign buyers would have paid earlier in the year, had there been no monopoly. The Company was hardly more successful in its other dealings.³

In 1935 the Company appears to have profited by its earlier mistakes and to have surmounted the difficulties which had confronted it. It was believed to have made big profits particularly out of its controlling share in the 'Persian lamb' trade, its sugar monopoly, and its monopoly for the export of wool. Of the 'Persian lamb' trade it was estimated that 500,000 skins had gone to Russia, 400,000 to London, and 50,000 to Germany; 250,000 remained to be sold. The Company was doing well also out of its monopolies for the import of motor vehicles and of goods required for State purposes.⁴

1273. Subsidiary and other Companies.—For the control of the petrol trade the Ashami Company found it politic to form two subsidiary companies, the Afghanistan Petrol Company and the Pathan Trading Company of Kandahar. The latter dealt with other monopolies as well as petrol. Its formation was due to the necessity of placating the strongly established body of local traders in Kandahar. The progress of these two companies was described as follows in the Annual Report for 1935 :—

"The Petrol Company supplies the country with petrol which it purchases under agreements with the Soov Afghan Turak and the Burmah Shell Company. Its agreement with the former organisation covers the period 1st August 1934 to 1st February 1936 during which the Petrol Company has undertaken to purchase a minimum of 2,250 and a maximum of 4,500 tons of petrol, the price at the Russian frontier being fixed at 70 gold rouble a ton or about eight annas six pies per gallon. After payment of customs duty and transport charges the Company must make a profit of nearly 50 per

¹ Annual Report for 1935, para. 26 (A. S. LIX, 226).

² Annual Report for 1933, paras. 37-50 (Encl. to Despatch No. 30, dated the 9th March 1934, from Min., Kabul, A. S., LII, 276).

³ Annual Report for 1934, paras. 32-50 (A. S. LV, 260).

⁴ Annual Report for 1935, paras 26-29 (A. S. LIX, 226).

cent. on the sale of this petrol. The agreement with the Burmah Shell Company is not nearly so favourable and does not allow the Petrol Company more than about 12 per cent. profit. Actually Russian petrol can be imported to Kabul at a cost price to the Petrol Company of Rs. 0-15-0 Indian a gallon whereas the Burmah Shell petrol delivered at Kabul costs them about Rs. 1-9-0 a gallon. In order to prevent the country becoming completely dependent on Russia for petrol it has been divided into two zones, and only Burmah Shell petrol is allowed to be sold in the south-eastern portion including Kabul. It has been found very difficult however to prevent private individuals from importing the cheaper Russian petrol to Kabul from the north, and even the Petrol Company is believed to have imported consignments of it from time to time and to have mixed it with the Burmah Shell petrol. In view of the disparity of prices it is not surprising that the Petrol Company have been endeavouring to induce the Burmah Shell Company to lower their rates. Mr. Percival representing the latter Company visited Kabul in November and offered a small reduction, which the Petrol Company refused to accept. They threatened to cancel the agreement altogether and had not the Minister for Foreign Affairs, no doubt acting under instructions from the Prime Minister, intervened, negotiations would probably have broken down.

The Pathan Trading Company in Kandahar is reported to have had a fairly successful year. This Company is formed almost exclusively from a clique of local merchants under the manager-ship of one of the wealthiest of their number called Muhammad Musa Khan. It was originally granted local monopolies for the import of petrol, sugar and motor vehicles and the export of dry fruit for one year, and early in 1935 these monopolies were extended for a further period of two years. In August it declared a dividend of 28 per cent. for the year ending the 21st March 1935 and announced an increase in its capital of Rs. 500,000. Of this only Rs. 300,000 is reported to have subscribed up to date, as Muhammad Musa Khan will not allow anybody to participate who does not belong to his faction. The Company already has agencies at Bombay and Karachi and is believed to have opened additional ones at Amritsar, Delhi and Calcutta. It was even reported to be intending to open its own retail shops in India. At the end of the year it had a large quantity of dry fruit on its hands which it was unable to dispose of at the price it was demanding, owing partly to the fact that dry fruit from Kabul the export of which has not hitherto been monopolised was selling in India at much cheaper rates".

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The recent growth of these companies and of the Ashami Company itself was described as follows in the 'Islah' dated 31st December 1935.

" In the year 1312 (1933-34) only one Company was established in the whole country, viz., the Ashami Company with a capital of 7½ million Afghani rupees. In the year 1313 (1934-35) fourteen companies were established in the Northern Province with a total capital of 10 million Afghani rupees, besides the Petrol Company and the Pathan Trading Company, with a capital of 2½ million Afghani rupees. The capital of the Ashami Company was also increased but even so the total capital invested was not more than 22½ million Afghani rupees. Recently a company known as the United Company of the Northern Provinces has been formed for the export of wool and cotton with a capital of 15 million Afghani rupees, besides six new companies for the Persian Lamb trade in Kabul known as the Sabir (Patient) Company, the Bradaran (Brothers) Company, the Qanayat

(Contentment) Company, the Diyanat (Honesty) Company, the Tawakkul (Trust in God) Company and the Koshish (Endeavour) Company.

It is also proposed to establish a company at Herat with a capital of 10 million Afghani rupees for the export of wool and opium. The capital of the National Bank (Ashami Company) has increased by 200 per cent. since 1312 (1933-34) and the total capital of Afghan Companies has reached 82 million Afghani rupees during the year 1314 (1935-36). Thus the capital of the nation which was only $7\frac{1}{2}$ million Afghani rupees in 1312 (1933-34), the year of its birth, will stand at 82 million Afghani rupees at the opening of the year 1315 (1936-37)."¹

1274. **Monopolies.**—The following monopolies had been granted up to the time of the Indian Trade Delegation's visit to Kabul in 1934 :—

- (a) Import of sugar.
- (b) Import of petrol and motor oils.
- (c) Export of fruit from Kandahar.
- (d) Import of motor vehicles and their accessories.
- (e) Export of Karakulis.

Of these (a), (b) and (d) had been granted to the Shirkat-i-Ashami who also had a large share in (e).

The monopoly of (c) was granted to Shirkat-i-Pushtun a company formed of Kandahar traders in which apparently the Government have no share. "Monopoly (e) has, in the words of the official announcement, been granted to traders, who are Afghan subjects in accordance with the figures below :—

	Skins.
(a) Ministry of Commerce	100,000
(b) Ashami Company	300,000
(c) Traders of Kabul to be selected as proposed by the Ministry of Commerce	170,000
(d) Companies established in Turkestan	330,000
(e) Traders of Herat and Kandahar	100,000."

1275. **Resentment against Monopolies.**—The grant of these monopolies has been bitterly resented by traders in Kabul and Kandahar both Afghan and Indian, and also by Indian merchants in frontier towns such as Peshawar and Chaman, through whose hands the bulk of the trade formerly passed in both directions between India and Afghanistan. It seems, however, that in spite of its unpopularity the Government, who have already experienced its profits are more likely at present to extend the system than to abandon it.

1276. **Currency and Exchange.**—The effect of an adverse balance in 1933 and 1934 was aggravated by the rise in the world price of silver. With silver standing in India at 55 rupees per 100 tolas, as in 1933, the Afghani rupee, even at 360 : 100 Indian rupees, was well above its intrinsic value. The minting of silver, imported free of Indian customs duty, was a very profitable transaction for the Afghan Government. As, however, the Afghani rupee fell and the price of silver rose, this profit was extinguished and the minting of silver discontinued. In December 1934 the Afghani rupee actually touched 440 : 100 Indian rupees. This figure was below its intrinsic value. A profit stated to be at approximately 6 annas on every 100 Afghani could then be made by sending it to Bombay for melting. Considerable sums are stated to have been sent for melting. This was in spite of the fact that the Afghan Government had forbidden the export of silver from Afghanistan² and that the Indian Government had for reasons of its own forbidden its import into

¹ (A. S. LIX, 228.)

² Report of the Trade Delegation 1934, para. 5.

³ Vide Minister's No. 144, dated the 5th May 1934 and No. 144, dated 8th May 1934.

India.¹ The shortage of currency was reflected in the fact that on one occasion a cheque for Rs. 4,000 could not be cashed by His Majesty's Legation at Kabul.

1277. This was another problem which the Afghan Government felt could only be solved by State control. After the official rate of exchange in terms of one hundred Indian rupees had fluctuated between 411 and 312 in the early months of 1935, the Government finally issued orders in November stabilising it at 365 for a period of eight months. All private dealing in exchange was then forbidden and operations could be conducted only through the Afghan National Bank. This, as already mentioned, is a branch of the Shirkat-i-Ashami and has the concession of the right to issue bank notes. Immediately after the issue of the order stabilising the rate of exchange, the Government made through the National Bank its first issue of bank-notes. The first issue was limited to two million notes of five Afghani rupees each, the total being more than covered by a reserve of silver. The rules controlling the issue of paper money were published in the 'Islah' of 17th November 1935.² The notes have so far been a success and have been generally accepted at their face value. Later issues have been of higher denominations, the highest permissible being Rs. 100 Afghani. Previous issues of paper currency by Amanullah Khan and Bacha-i-Saqqao were not a success.³

1278. The 'Kabuli' and the 'Afghani' rupee.—The complexities of Afghan exchange problems are enhanced for the lay mind by the relation between the "Kabuli" and the "Afghani" rupee and the fact that while the former is officially obsolete the latter is no longer current. The Kabuli rupee was in use up to year 1926. Its weight was 139·8 grains and it contained about 84 per cent. of silver. The Afghani rupee was then minted with a slightly lower silver content by Amanullah fixing the official rate of exchange as 10 Afghani=11 Kabuli rupees. The Afghani rupee was withdrawn and its place taken by half-Afghanis with a weight of nearly 76 grains and a silver content of just over 50 per cent. The rate of exchange in practice came to be 20 half-Afghanis=11 Kabuli rupees and the result was that Kabuli rupees were driven out from the main bazaars of Afghanistan. The Kabuli rupee still exists in outlying parts and in the North-West Frontier Province, and owing to its higher silver content has a higher exchange value in relation to the Indian rupee.

1279. Prohibition of Import of Luxury Articles.—As one way of helping to redress the adverse balance of trade, the Afghan Government in 1934 totally forbade the export of certain 'luxury articles', on which it seemed to them quite unnecessary for their people to spend money. The list of forbidden articles included artificial hair, feather-boas, imitation jewellery, silk scarves and a number of other articles.⁵

1280. Trade with India.—On the one hand the policy of monopolies and of "Afghan Trade for the Afghans" has reacted unfavourably on Indian Trade, on the other hand the Afghan Government have repeatedly expressed their desire to increase their trade both with India and with Great Britain. In these two respects there has, in effect been a clash between the economic and the political influences behind Afghan Commercial Policy.

1281. Disabilities of Indian Trade. Report of the Indian Trade Delegation.—A Trade Delegation, led by Mr. W. W. Nind, Secretary to the Government of India, Department of Commerce, was sent by the Government of India to Afghanistan in 1934. Its object was 'to examine in consultation with informed opinion in Afghanistan the directions in which it may be possible to foster and expand the mutual trade between India and Afghanistan'. The Report of the Delegation, printed by the Government of India Press, Simla, 1934, gives an account of the disabilities from

¹ Finance Department Notification (Customs), No. 53 of 21st July 1934.

² Enclosure to Kabul Despatch No. 2 of 4th January 1936 (A. S. LIX, 106).

³ Annual Report for 1935, paras. 8-12 (A. S. LIX, 226).

⁴ Enclosure to S. No. 10 in F. No. 575-F/34, page 27.

⁵ Despatch from Min., Kabul, to F. O., London, No. 38, dated the 31st March 1934 (A. S. LIII, 35).

⁶ Report of Nind Delegation, 1934, para. 1.

which Indian Traders in and with Afghanistan were suffering. These included :—

(i) **Loss of trade owing to the sugar and petrol import monopolies, and anticipated loss over the fruit export monopoly.**¹—There seemed no remedy for these losses as long as the monopolies continued.

(ii) Losses to motor-traders caused by the sudden restriction on the import of motor-vehicles and their accessories by the grant of the monopoly to the Ashami Company. This monopoly was generally regarded as the precursor to the grant of a similar monopoly of the transport trade. The Trade Agents at Chaman and Peshawar were already acting as if such a monopoly had been created, and were refusing permits to lorries newly registered in India to ply on Afghan roads. The Trade Delegation proposed an easy weapon to counter this in the form of retaliation.²

(iii) **Exclusion of Indian Traders from the 'Persian lamb' trade.**—The Delegation proposed to the Afghan Commerce Minister that Indians might be given a share in the monopoly, but his reply was not encouraging.³

(iv) **Personal difficulties of Traders.**—The Delegation found that great difficulties were experienced by Indian Traders in getting visas to enter and leave Afghanistan, even after they had obtained their visas, and even after they had been given permission to import their wares, they were still not allowed to clear their goods from the Customs until they had obtained trading licenses ; in some cases traders had even had to return their goods to Peshawar.

The Delegation were also told that the business of new foreign traders was hampered by the fact that they could not remit money to India, but were only allowed to export goods in payment for their imports. This was denied by the Commerce Minister, but the Delegation received some evidence that Indian traders who were not shown in the customs books as exporting as much as they imported, were certainly treated with disfavour.

A new trade law was under consideration and the Delegation suggested that if it proved detrimental to Indian interests, and if no improvement were made in the system of granting visas and trade-licenses, the presence of large numbers of Afghans trading in India might provide means of retaliation.⁴

(v) **Lorry Traffic, and the Transport Trade.**—The transport of goods and passengers between Indian and Afghan towns is in itself a large and growing trade. The lines along which it has recently been developing have been unsatisfactory to Indian interests from two points of view. In the first place there is the danger of evasion of customs duty. It is possible that after payment in full of rebate of customs duties, motor-vehicles may be brought back by road to India and there be re-sold or otherwise allowed to remain. The second danger is that the Afghans appear to be trying, by various means, to squeeze Indian drivers and owners out of the trade with a view to securing all the profits for their own nationals.

The problems from the point of view of the Government of India are :—

- (i) To prevent fraudulent loss of revenue to themselves, and
- (ii) To protect the interests of Indian subjects engaged in the transport trade.

The Government of India's proposals for preventing loss of revenue involve the deposit of either the duty or a bond with the authorities at Peshawar or Chaman. This procedure is in accordance with international usage⁵. The other matter was the subject of recommendations by the Indian Trade Delegation, who found that Indian drivers were undoubtedly being penalised by Afghan officials and pointed out that the weapon of retaliation was ready

¹ Report of Nind Delegation, 1934, paras. 6, 7, 8.

² *Ibid.*, para. 9.

³ *Ibid.*, para. 10.

⁴ *Ibid.*, para. 13.

⁵ Memo. No. 276-F/36, dated 17th February 1936 (File 276-F/36).

to hand.¹ The Government of India have accordingly prepared proposals for the regulation of Afghan motor traffic in India. The mere mention of the fact that they were doing so was enough to produce from the Afghan Government a denial of the previous official statement that Indian lorries were prohibited from plying on the Chaman-Kandahar road².

The draft regulations and rules are still under the consideration of the Government of India but have not yet reached final form nor been discussed between the two Governments. The Afghan Government is reported to favour a proposal that lorry traffic between India and Afghanistan should stop on the frontier and that Indian-owned motors should not ply in Afghanistan nor Afghan-owned motors in India.³

Much of the trouble caused to Indian lorry drivers in the past has been over visas. One of their particular complaints was that visas were only granted valid for one journey and they were put to ceaseless inconvenience in obtaining fresh visas on each occasion. It is hoped that this state of affairs will have been remedied by a rule in the new Visa Code which enables lorry-drivers, etc. to obtain visas valid for any number of journeys within a period of six months.

(vi) **Abolition of the Chahar Yaka Tax.**—The abolition of chahar yaka tax described on page (6) of the Trade Delegation's Report was a further blow to Indian trade. Though originally suggested by the British Government it has proved detrimental to Indian interests. The reasons for the suggestion were to secure equal treatment for Indian petrol and kerosene oil with products of the same nature imported from Russia. "All foreign (non-Indian) goods entering Afghanistan through India received a full rebate of Indian custom duty levied at the port of entry. Until 21st April 1934, the Afghan Government levied on such goods, in addition to the normal customs duty, a special tax equal to 25 per cent. of the rebate obtained from the Government of India. This tax was known as chahar yaka tax or one quarter tax. No similar levy was made on goods entering Afghanistan over her other land frontiers and in consequence such goods received a preference equal to the amount of chahar yaka. At the same time the incidence of this tax gave a similar preference to Indian goods over foreign goods entering Afghanistan through India. The effect of the loss of this preference is bound to be serious". The abolition of this tax was consequently on the whole unfavourable to India and Russia, favourable to British products imported to Afghanistan through India and still more favourable to imports from other countries on which the Indian import duties were higher. The Soviet embassy was officially stated to have protested against the removal of the tax.

1282. Despite the visit of the Indian trade delegation to Kabul, there has as yet been no improvement in the condition of Indian traders. The operations of the 'Pathan Company' have faced the fruit traders of Chaman with ruin. The number of Indian traders in Kabul is said to have been reduced to ten. In December 1936 they sent a deputation to His Majesty's Legation asking that representations might be made on their behalf to the Afghan Government and that if these failed the Government of India might be induced to take retaliatory measures.⁴

1283. **Revision of Afghan Customs Tariff.**—About the same time the Afghan customs tariff was revised, the principal innovations being the abolition of internal 'Sarfiyat' taxes, a simplification of the schedule and a general increase in the rates of import duty, devised, partly at any rate to compensate for the loss of revenue involved by the abolition of chahar yaka tax.

A translation of the Afghan Customs Manual, Customs Tariff, etc. is incorporated in the Nind Report.

¹ Nind Report para. 9, cf. Annual Report for 1935, para. 39.

² Despatch from Min., Kabul, to F. O., London, No. 21, dated 15th February 1936 (A. S. LIX, 175).

³ D. O. No. 830-B., from Col. Fraser-Tytler, dated 10th March 1936, note page 25 of File 247-F/32.

⁴ Despatch from Min., Kabul, to F. O., London, No. 10-E., dated 20th January 1936, F. 575-F/34, S. No. 94.

1284. **Applications to His Majesty's Government for help.**—Despite their apparent unwillingness to remedy the grievances of Indian traders, the Afghan Government have shown no hesitation in asking His Majesty's Government and the Government of India for help towards establishing their own financial independence. Their plea for aid is described in Minister's telegram No. 11-Katodon to Foreign Office, London, dated 24th January 1935,¹ which is a sequel to suggestions to the same effect already made by Sir Richard Maconachie in his despatch No. 9-Overseas Trade of 6th November 1934.²

The reasons why the Government of India should do something to help and the arguments against the proposal are recorded in the noting on file No. 575-F/34. Summarised, the arguments in favour were 'that it would be extremely unfortunate, if not disastrous' to the Government of India if the existing Government in Afghanistan were to collapse as a result of a financial crisis followed by revolution; the arguments against were the extent of the risk always involved in financing anything in Afghanistan³.

Besides the concession of "Free Transit" facilities, for which they had long been asking, the Afghan Government asked also for the creation of export credits in Great Britain for buying machinery with which to develop their own resources, for technical advice for the same purpose, for the abolition of the export duty on 'Persian lamb,' for some concessions in the matter of income-tax payable by Afghan firms trading in India, for the goodwill of His Majesty's Government towards their negotiations with fur-trading companies in London, and for such general measures of encouragement to their overseas trade as His Majesty's Government and the Government of India could give.

1285. **"Free Transit"**.—The working of the present system, which the grant of "Free Transit" facilities is to replace, is criticised in a report printed with the Report of the Nind Delegation. It depends on Article VII of the Treaty by which 'no customs duties shall be levied at British Indian ports on goods imported under Article VI of the Treaty on behalf of the Government of Afghanistan', and by which rebate 'of the full amount of Customs duty' is granted on certain conditions in respect of 'all trade goods' imported into British India for re-export to Afghanistan and duly exported by certain agreed routes. In theory the principle of the present system is merely that State goods are totally exempted, and that a rebate is paid on other goods as they go across the border. In practice there have been all kinds of difficulties over both classes of goods. The new proposal for "Free Transit" means, in effect, that the distinction between the two classes of goods will be removed⁴ and that all classes of goods intended for re-export to Afghanistan, and duly re-exported, will be saved either payment or rebate of Customs duty.

1285-A. The concession is one for which the Afghans have long been asking. It is noted in paragraph 695 of the Afghan Précis of 1927 as a possible Afghan demand which would have to be considered. It was one of the requests made in the interviews with Sir Austen Chamberlain in March 1928.⁵ It was contemplated in the instructions given to Sir Francis Humphrys in May of that year for inclusion in the expected negotiations for a new Treaty.⁶ The Government of India had in fact been almost on the point of announcing the grant of "Free Transit" without waiting for the negotiation of a new Treaty⁷, but as the Afghan visitors to London gave no prominence to this particular request the Home Government decided that this would have been a tactical mistake.⁸ Sardar Mohammad Wali Khan, who was Regent in Afghanistan during the King's absence, then complicated matters by causing an announcement to be made in the Afghan Press that

¹ (A. S. LV, 163).

² (A. S. LV, 18).

³ Note dated 18th December 1934, notes page 6 of F.575-F/34.

⁴ Cf. Express Letter to Min., Kabul, No. F.539-F/34, dated 12th June 1935 (A. S. LVII, 21).

⁵ Para. 764.

⁶ Para. 1339.

⁷ Cf. Telegram to I. O., London, No. 6745-S., dated 28th March 1928 (A. S. XXIII, 117).

⁸ Telegram from F. O., London, to C. d'A., Kabul, No. 24, dated 5th April 1928 (A. S. XXIII, 136).

His Majesty's Government had agreed to the concession¹. In response to strong representations from His Majesty's Chargé d'Affaires he admitted that the communique which he had caused to be published was false and highly irregular, and after a short delay issued a contradiction.² The outbreak of the Rebellion caused the matter to be shelved before any final decision was made.

1286. The question was brought up again at intervals during King Nadir Shah's reign, but owing to the difficulties involved in ensuring against loss to their own revenues the Government of India were not in favour.

1286-A. The Government of India were not in favour of granting the concession even as late as the beginning of 1935.³ On 13th March of that year Sir Richard Maconachie was allowed to put the arguments before them in person, and the proposal was at last accepted. An Order-in-Council dated 20th March 1935 records the decision that "a system of free transit of goods of all kinds to Afghanistan from overseas in substitution of the present system may be negotiated with the Afghan Government, subject to proper safeguards being first worked out with the local authorities against loss to Indian revenues through extraction of goods from bond during transit or through re-importation to India of goods which have not paid Indian duties at the ports".⁴

1287. This decision was communicated to the Afghan Government in June 1935. They were told that the Government of India had accepted in principle "the system of free transit by rail through India for all goods purchased abroad and consigned to Afghanistan, provided that it will be possible to arrange in consultation with the Afghan Government for a system of transit which will safeguard Indian revenues against loss".⁵ The system would be "confined to goods packed in sealed wagons booked to railhead on the Khyber and Chaman routes,"⁶ and some time was likely to elapse before it could be brought into force.

1288. The rules of procedure are still (January 1937) under discussion between the Governments, and the concession has not yet been put into effect. The Government of India's latest proposals and draft instructions were sent to the Secretary of State for India with confidential letter No. F.-446-F/35, dated 23rd September 1936, of which a copy was sent to His Majesty's Minister, Kabul.

1289. **Economic Aid for Afghanistan.**—The other big proposal which the Afghan Government made through Sir Richard Maconachie was for economic aid in building up their own industries⁷. The proposal was summarised as follows :—

"That in order to save the existing Afghan Government from a financial crash, which would be followed by revolution, His Majesty's Government or the Government of India or both should assist financially in developing Afghan industry and home production of essential commodities such as sugar, so as to correct the present adverse trade balance and keep Afghan money in Afghanistan. The practical form which that assistance is to take is for British firms to supply machinery on credit, either or both Governments (His Majesty's Government and Government of India) guaranteeing them against loss, if the Afghan Government are unable to pay."⁸

(Note.—Suggestions for economic aid had been put forward by Sir Francis Humphrys⁹ and discussed by the Government of India¹⁰ in 1928 but came to nothing on account of the outbreak of the Rebellion.)

¹ Kabul telegram No. 52, dated 22nd April 1928 (A. S. XXIII, 153).

² Telegram from C. d'A., Kabul, No. 72, dated 16th May 1928 (A. S. XXIII, 214).

³ Telegram to I. O., London, No. 443 dated 19th February 1935 (A. S. LV, 222).

⁴ Order in Council, dated 20th March 1936, page 24 of notes F.-575-F/34.

⁵ Letter from Min., Kabul, to Afghan Foreign Minister, No. 317, dated 22nd June 1935 (A. S. LVII, 67, Enclosure I).

⁶ *Ibid*, Encl. II.

⁷ Paras. 1202-1203.

⁸ F. S.'s note dated 18th December 1934, page 6, F.575-F/34.

⁹ A. S. XI, #6.

¹⁰ Telegram to I. O., London, No. 7-S, dated 2nd January 1928 (A. S. XXII, 286-B).

1290. The proposed credits were not created, for reason both particular and general. The particular reason was that the schemes which the Afghan Government had in mind at the moment, schemes prepared for them by Mr. Robertson-Taylor of the Oriental Carpet Company, India, did not seem to the Government of India to be practicable. To say the least, they were based on insufficient data. The more general reasons were (i) that the Government of India had already committed itself to as much expenditure as it felt was justified, and (ii) that the Afghan Government having already found the Government of Germany more accommodating, would not agree to the preliminary expert enquiry into their finances without which His Majesty's Government did not consider that any money should be risked.¹

1291. **Other Concessions.**—With a view to encouraging Afghanistan's overseas trade, the Government of India abolished the export duty on 'Persian lamb' in the spring of 1934,² and has also offered concessions of railway freight on petrol going to Afghanistan.³

The Government of India's prohibition of the import of silver by land into India, though it was in the first place imposed for reasons not connected with Afghanistan, of silver coin and was promised the warm co-operation of the Afghan Government.⁴

1292. **Khyber Tolls**⁵.—A request was made to the Indian Trade Delegation by the Afghan delegates for the abolition or reduction of Khyber tolls. At about the same time, and subsequently, there has been a good deal of friction over the payment of these tolls on behalf of particular lorries. The principal cause of friction has been that the Khyber authorities have demanded tolls on lorries for which the Afghan Trade Agent, Peshawar, has issued certificates claiming exemption. The Government of India examined the position and came to the conclusion that certificates of exemption were being wrongly issued by the Afghan Trade Agent, and that the abuse by this official of the privilege of certification was adversely affecting Central Revenues. The Government of India accordingly addressed His Majesty's Minister, Kabul, as follows :—

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“ After careful consideration the Government of India have satisfied themselves that certificates of exemption from Khyber tolls are being wrongly issued by the Afghan Trade Agent at Peshawar, and that the abuse by this official of the privilege of certification is adversely affecting Central Revenues, to which Khyber tolls are paid. In this connection a comparative statement showing the collection of Khyber tolls during the first four months of the years 1933-34-35 is forwarded with the request that, if you see no objection, it may be communicated to the Afghan Government who may be requested to instruct the Trade Agent as to the correct procedure and direct him to issue certificates in future strictly in accordance with those instructions. Should the Afghan Trade Agent continue to certify for exemption goods which are *prima facie* not entitled to exemption the Government of India will be compelled to refuse entirely to recognise his certificates and in future to require the certificate of the Afghan Government furnished through the Legation as in the case of imports of arms.

3. The position as regards the levy of tolls has already been explained in the memorandum from the Government of India in the Foreign and Political Department to the Government of the North-West Frontier Province No. F. 394-F./34, dated the 8th September 1934 [S. No. (8) in F. 394(2)-F/34], (copy of which was communicated to you under cover of Foreign Secretary's

¹ Telegram from F. O., London, to Min., Kabul, No. 49, dated 1st June 1935 (F.-575-F/34, S. No. 73).

² Telegram from Min., Kabul, No. 60, dated 23rd April 1934 (A. S. LIII, 78).

³ Memo. to Min., Kabul, No. D. 3638-J/33, dated 23rd September 1933 (A. S. L, 254).

⁴ Min.'s Express letter No. 144, dated 30th November 1934 (on File F/312-F/34).

⁵ Cf. Afghan Précis (1927), Para. 638.

weekly letter No. 37-K., dated the 15th September 1934) [S. No. (10), in F. 394(2)-F./34], but for convenience of reference it is restated below :—

- (a) Goods exported by the Khyber route from India into Afghanistan (including goods transported through India to Afghanistan) which are for the public services of Afghanistan and not for the purposes of State monopoly or State trade are exempt from the payment of Khyber tolls. All other goods exported by this route from India to Afghanistan are subject to Khyber tolls.
 - (b) All goods imported by the Khyber route into India from Afghanistan including those for the public services of Afghanistan are subject to the payment of Khyber tolls.
4. The procedure for the certification of goods, entitled to exemption from these tolls may be considered under two heads—
- (i) goods originating in India, and
 - (ii) goods transported through India.
- (i) *Above.* Under the Anglo-Afghan Treaty, 1921, such goods are not specifically exempt from the payment of Khyber tolls; but in view of the undertaking given by the Government of India in Sir W. Cunningham's letter to His Highness the Amir of Afghanistan No. 31-P. O., dated the 27th March 1899, these also enjoy exemption by usage and subject to the comments made in paragraph 2 of this memorandum it has been agreed to accept for the present the certificate of the Afghan Trade Agent at Peshawar.
- (ii) *Above.* Such goods on arrival at the port are certified by the Afghan Consul as "required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade". This certificate (in quadruplicate) is signed by the Afghan Consul on a form which is termed an invoice and this form is signed by a Customs official at the port of entry. Of the 4 copies of the certificates issued, one is at present retained in the Customs House, two are sent to the Frontier Customs Officer and one to the Central Board of Revenue. It is considered that in future the Afghan Trade Agent at Peshawar who receives all Afghan State goods at Peshawar and arranges for their transport into Afghanistan, should be furnished with a copy of this invoice, which should accompany the goods through the Khyber. To ensure a copy being available for this purpose, the Collectors of Customs are being instructed that instead of sending a copy of the invoice to the Central Board of Revenue, where it is merely filed, it should be handed to the Clearing Agent, whose business it will be to send it along with the goods to the Afghan Trade Agent at Peshawar. No certificate from the Afghan Trade Agent will then be necessary in such cases."

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The relevant portions of Memorandum No. 394-F/34, dated 8th September 1934 are as follows :—

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- "2. The Government of India consider that the proper interpretation of Article VII of the Anglo-Afghan Treaty of the 22nd November 1921, in its application to the levy of Khyber tolls, is as follows. The effect of the provision at the end of the 3rd paragraph of Article VII that "nothing in this Article shall prevent the levy on imports from Afghanistan of the present Khyber tolls" is to save the right of levy of Khyber tolls on imports from Afghanistan into India from being affected by

the declaration at the opening of that paragraph that the British Government "has no present intention of levying customs duty on goods or livestock of Afghan origin or manufacture imported by land or by river into India or exported from Afghanistan to other countries of the world through India". The presence in paragraph 3 of Article VII of this express saving along with the absence from paragraph 1 of the same Article of a similar saving in respect of the provision that "no customs duties shall be levied at British Indian ports on goods imported on behalf of the Government of Afghanistan for immediate transport to Afghanistan, provided that the goods are required for the public services of Afghanistan and not for the purpose of any state monopoly or state trade", must be taken to oust the right to levy Khyber tolls on the entry into Afghanistan of goods, on which paragraph 1 of Article VII provides that no customs duties shall be levied at British Indian ports. On all goods exported from India to Afghanistan outside the scope of this provision, or transported through India to Afghanistan, including goods imported on behalf of the Government of Afghanistan but required for the purposes of state monopoly or state trade, Khyber tolls may be levied on the entry of the goods into Afghanistan.

3. It will be seen that a clear distinction is thus drawn between (a) imports into India from Afghanistan, and (b) exports from India into Afghanistan (including goods transported through India to Afghanistan). In the case of category (a) Khyber tolls may be levied on all articles, including state goods, and without respect to the distinction drawn in paragraph 1 of Article VII. On the other hand, in the case of category (b) Khyber tolls are not leviable on goods required for the public services of Afghanistan, but may be levied on goods exported for the purposes of any state monopoly or state trade and on trade goods referred to in paragraph 2 of Article VII. This distinction is in accordance with the practice laid down in Sir William Cunningham's letter to His Highness the Amir of Afghanistan, No. 31-P. O., dated the 27th March 1899, which only exempts from Khyber tolls the Amir's private property and state stores on entry into Afghanistan, and gives no exemption even to this class of goods when imported from Afghanistan into India
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5. For the purpose of levy of Khyber tolls on goods entering Afghanistan there remains the question of a practical means of enforcement of the distinction between goods required for the public services of Afghanistan, and goods required for purposes of state monopoly or state trade. Recent experience shows that in fact the Afghan Consul at port of entry is in a position to certify as goods required for the public services goods, which are in reality imported as goods required for purposes of state monopoly or state trade. The rules of procedure for giving effect to customs concessions granted to these two categories will be found in Appendix A and Appendix B to the Anglo-Afghan Trade Convention. Where an Afghan Consul signs a definite statement under rule 1 to Appendix A certifying that goods are not for purposes of state monopoly or state trade, it is not easy for the Collector of Customs to challenge it unless the nature of the goods is such as to make the statement inherently improbable, as in a recent case of sugar machinery imported by the Afghan Government and referred to in letter No. 300, dated the 13th June 1934 [Serial No. (2) in File No. 235-F./34], from H. M.'s Minister,

Kabul, to the Government of India. The Government of India will therefore be glad if you will first consider in consultation with H. M.'s Minister, Kabul, what practical steps are possible, whether at the ports or in transit through Khyber Pass, to ensure that for the purpose of levy of Khyber tolls the distinction drawn in paragraph 1 of Article VII of the Anglo-Afghan Treaty may be properly observed ".¹

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1293. The Government of India decided at the same time that for the present the Political Agent, Khyber, should not refuse to accept the Afghan Trade Agent's certificate, though he might continue to look out for abuse and report instances where it was suspected.

1294. The legal rights of the Government of India in regard to Khyber tolls are not enforced on the Afghan State's lorry which brings the mails to Torkham. This concession does not apply to other State lorries entering India.²

1295. The Afghan Government seemed to think that lorries carrying Afghan State goods into India were exempted from payment of tolls, but it is clear from paragraph 3(b) of Memorandum No. 268-F/35, dated 16th September 1935 (quoted above) that this is not so. They were particularly exercised over the recovery of tolls on wool, the property of the Afghan Government, which was being sent to India for spinning and would later be returned to Afghanistan. The Government of India as well as stating the general principle specifically upheld the recovery of tolls on this wool. Paragraph 4 of memorandum No. 394-F/34, dated 8th September 1934 (quoted above) reads as follows:—

"It follows that the consignment of wool referred to in your express letter quoted, being an import into India from Afghanistan, is subject to the payment of Khyber tolls, whether it is Afghan state property or not".

1296. The whole question is under consideration, pending the final terms of settlement with regard to the "Free Transit" system. It is possible that the tolls may then be abolished altogether.³ They are, however, of a special nature and it does not appear that there is anything to prevent their levy even after the grant of "Free Transit" on the lines of, or even under the terms of, the Barcelona Statutes. The point is open to argument, and the final decision will depend partly on the extent to which the other proposed charges and the Khyber Tolls together can fairly be brought within the exception provided by Article III of the Statute,⁴ and partly on political considerations.

1297. The tolls are, strictly speaking, levied not on goods but on the vehicles and animals employed on their conveyance. They are also levied on passengers.⁵ They derive sanction from the Afridi-Agreement (page 485—Aitchison's Treaties, Volume XI) of February 1881. In return for the receipt of allowances the Afridis contracted out of the right to collect tolls which they formerly possessed.

1298. **Imposition of Land Customs on the Indian Frontiers.**—In 1930 the Government of India had under consideration the question of the imposition of customs duty on the land frontier of India, instead of only on the sea frontiers. The immediate object of the proposal, in addition to general enhancement of revenue, was to prevent loss from the practice of sending goods especially silk from Japan, overseas to Duzdap and thence back into India by land. For other reasons also the Government of India were finding it increasingly difficult to defend the absence of customs tariffs on their land frontiers.⁶

¹ Memo. to N. W. F. P., No. F.-394-F/34, dated 8th September 1934 [S. No. 8, File 394(2)-F/34].

² Note from British Legation, Kabul, to the Ministry of Foreign Affairs, Kabul, No. 457, dated 20th March 1935 [Encl. II to S. No. 15, File 394 (2)-F/34].

³ D. O. No. F.446-F/35, dated 20th January 1937, to N. W. F. P. (F.446-F/35).

⁴ See noting on File 446/F/35, especially notes dated December 1936 and January 1937.

⁵ Memo. from N. W. F. P., No. 4165-P/50/3, dated 6th February 1936 (S. No. 1, File No. 47/F/34).

⁶ Memo. to Min., Kabul, No. F.-265-F/30, dated 16th October 1930 (A. S. XXXVI, 46).

It was a question whether the Afghan Government would have any legal ground for complaint under Article VII of the Treaty.

Sir Richard Maconachie preferred a stricter interpretation of the spirit of the Treaty to that which the Government of India were inclined to adopt, but held that provided all countries bordering on India were treated the same and provided the duties imposed were not too high, the Afghan Government would soon become reconciled to the new tariff.¹ He recommended that they should not be previously consulted, but that they should be informed at the earliest possible moment after a decision had been made. He adhered to these opinions in a despatch dated 9th December 1932,² in which he put forward certain economic and political considerations. Both considerations were connected with Russia. The road from Kabul through the Hindu Kush was nearing completion, trade between Russia and Afghanistan was already developing fast, and the imposition of custom duties on the Indian Frontier would drive a still greater volume of Afghan export trade including probably the whole of the most important 'Persian lamb' trade, towards Russia. The Soviet Government would not be slow to turn such an economic advantage to political gain.

1299. On 15th September 1934 the Afghan Government were officially informed of the decision to impose a customs regime on the following classes of goods entering India by land, *viz.*—saccharine, cigars, cigarettes, manufactured tobacco, matches, splints and veneers, silk and artificial silk, piece goods, silver bullion and sheets.³

The decision is not likely to have much effect on Afghan trade with India.

1300. **Rafting fees on Afghan timber.**—Rafting fees at 0-2-0 per log are charged on all timber entering the North-West Frontier Province including Afghan timber coming down the Kabul river.⁴ The charge was introduced with effect from 1st May 1933. The Afghan Government were given notice of it in April 1933.⁵

1301. **Creation of Post of Indian Trade Agent, Kabul.**—His Majesty's Minister, Kabul, began seriously to press for the appointment of someone as adviser to himself in Commercial matters in 1934-35 when he first began to urge on His Majesty's Government the advisability of their supporting Afghanistan in the development of its Commercial Policy.⁶ The Afghan Prime Minister was also in favour of some such appointment, and had in mind not a commercial attache to the Legation, but a Trade Agent who would be known by some such title as 'Agent for British and Indian Trading Companies', and would live in the city where he would have his office.⁷ The Government of India were willing to send an official in this capacity, and in May 1936 the Afghan Government informed Colonel Fraser-Tytler of their agreement.⁸

The officer selected is, at the moment of writing, undergoing training in India, and is expected to go to Kabul shortly.

(*Note.*—A Commercial Counsellor was appointed to the Russian Legation in October 1927⁹ but the appointment was not renewed after the revolution).

1302. **Afghan requests for permission to appoint more Trade Agents in India.**—The establishment of Afghan Trade Agents in India is governed by Article VIII of the Treaty which reads:—

“The British Government agrees to the establishment of Trade Agents by the Afghan Government at Peshawar, Quetta and Parachinar, provided that the personnel and the property of the

¹ Memo. from Min., Kabul, No. 260, dated 1st November 1930 (A. S. XXXVI, 155).

² Letter from Min., Kabul, No. 260, dated 9th December 1932 (A. S. XLVI, 293).

³ Economic Report from June 15th to October 15th, 1934, Para. 32 (A. S. LIV, 288).

⁴ Memo. from A. G. G., N. W. F. P., No. 19632-P./29/143, dated 11th November 1932 (A. S. XLVI, 173).

⁵ Kabul Memo. No. 666/2, dated 15th April 1933, File 35-F/28, S. No. 28.

⁶ Telegram from Min., Kabul, to F. O., London, No. 11, dated 24th January 1935 (A. S. LV, 163).

⁷ Despatch from C. d' A., Kabul, to F. O., London, No. 128, dated 9th November 1935 (A. S. LVIII, 290).

⁸ Telegram from Min., Kabul, to F. O., London, No. 48, dated 5th May 1936 and Despatch from Min., Kabul, to F. O., London, No. 92, dated 10th July 1936 (A. S. LX, 49 and 223).

⁹ Kabul telegram No. 26 of 12th February 1928 (A. S. XXIII, 31).

said agencies shall be subject to the operations of all British laws and orders and to the jurisdiction of British courts ; and that they shall not be recognised by the British authorities as having any official or special privileged position ”.

1303. The Afghan Government have repeatedly tried to get the numbers and locations changed.¹ The only change to which the Government of India have agreed is that the Afghan Trade Agent at Quetta is now allowed to reside and work at Chaman. The Afghan Government were informed of this concession in letter No. 275 from His Majesty's Minister, Kabul, to the Afghan Foreign Minister, dated 27th December 1930.²

1304. The Afghan Government's request in 1922 to be allowed to appoint a Trade Agent at Dera Ismail Khan was refused. They re-opened the question in 1928 with a request for permission to appoint Trade Agents at Bannu and at Dera Ismail Khan on the ground that the lack of such Agents at these places impeded trade and facilitated smuggling.³ This request also was refused. The Afghan Foreign and Commerce Ministers pleaded the case again with Sir Richard Maconachie in June 1931. They made it quite clear that the prevention of smuggling into Afghanistan was the principal object for which they wanted the appointments. Their request was again refused. The following explanation of the refusal was given by His Majesty's Minister to the Afghan Foreign Minister :—

“ It appears from the discussion of the subject, which I have recently had with His Excellency the Minister of Commerce, that the main object of the present proposal is to check the smuggling of dutiable goods into Afghanistan through Bannu by the issue at that place of import permits, similar to those issued by Afghan Trade Agents at other places in India.

His Majesty's Government have, as Your Excellency will no doubt agree, given proof of their readiness to meet the administrative requirements of the Afghan Government as far as possible by their attitude in regard to the transfer to Chaman of the Trade Agent, who, under the provisions of the Treaty, is stationed at Quetta ; and they do not intend, at any rate for the present, to object to the system by which import permits are issued by Afghan Trade Agents in India.

The frequency however with which this system leads in practice to improper interference with Indian traders, renders it undesirable that the number of such Agents should be increased beyond that specified in the Treaty of 1921, and His Majesty's Government consequently regret their inability to accept the present proposal ”.⁴

1305. When the Indian Trade Delegation visited Kabul in 1934, the Afghan delegates brought the same request up for consideration. The comments of the Indian Delegation were as follows :—

“ The places at which they desire Trade Agents are at Nok Kundi, at Dera Ismail Khan, in the Zhob and in Chitral on the trade route from Badakhshan into India. The reason given by the Delegates for needing these additional Trade Agents, was that the presence of a Trade Agent encourages trade and that trade is of mutual advantage to both countries. The Commerce Minister pointed out that trade used to traverse the Nushki railway as far as Nok Kundi and then find its way to Farrah and Herat, but owing to the absence of a Trade Agent, such trade had fallen off. Similarly, on the other routes mentioned, trade would increase if Trade Agents were stationed on them.

¹ Cf. *Afghan Précis* (1927), Paras. 592, 642, 648.

² S. No. 50, File 74-F/30.

³ Telegram from C. d'A., Kabul, to F. O., London, No. 5, dated 8th January 1928 (A. S. XXII, 298).

⁴ Letter from Min., Kabul, to Afghan Foreign Minister, No. 546, dated 11th August 1931, File No. 74-F/30, S. No. 82, Encl.

In the course of conversation on the subject, it appeared abundantly clear that the main object for stationing Trade Agents at these places, was to stop the smuggling which was now taking place. The Afghan customs system depends very largely on the presence of Trade Agents in places from which trade sets forth into Afghanistan such as Peshawar, Chaman and Parachinar. No goods are allowed to enter the country without a permit (called "ilm-o-khabar") granted by a Trade Agent and the object of such a permit is to serve as check on the customs officials functioning inside Afghanistan. Duties are not collected at the frontier stations, unless the goods are intended for local consumption, but at the places of destination, *e.g.*, goods intended for Kabul pay duty at the Kabul Custom House. The "ilm-o-khabar" granted at Peshawar serves as a covering pass during transit and is handed in by the merchant at the Kabul Custom House, where it can be checked against the copy despatched direct to Kabul by the Trade Agent at Peshawar. On the routes on which Trade Agents are stationed at present, rebates of Indian customs duty are granted, and this system serves to ensure that the goods reach their destination in Afghanistan and pay Afghan customs duty. To this extent, the presence of Afghan Trade Agents in frontier towns is beneficial to India, but such an argument does not apply to the routes on which the Afghans now wish to have additional Trade Agents.

As regards Nok Kundi, it was pointed out to the Commerce Minister that trade could scarcely have fallen off along that route, owing to the absence of a Trade Agent, as no Trade Agent had ever been stationed there. What he probably meant was, that trade along that route had been discouraged by his Government because their lack of control, through the absence of an Agent, led to smuggling by the Afghans. It is possible that, given encouragement by the Afghan Government, trade will flow more freely by this route to Farrah and Herat from India. If so, the earnings of the Nushki railway extension will benefit, and India will secure some of the trade which now reaches these towns from Russia.

The request for Trade Agents at Dera Ismail Khan and in the Zhob, was obviously dictated by a desire to control the Powindah trade and to ensure that it paid customs duty. We do not feel sure whether such control, which doubtless would be hotly resented by the Powindahs, would prove of ultimate advantage to the Government of Afghanistan or the Government of India. It is understood that even now these people have been considerably hit by the advent of motor transport and by the Afghan monopoly policy. Any further restriction placed on their trade may well cause trouble.

We have no knowledge of the Badakhshan Chitral route or of the trade which might be expected to increase, owing to the presence of an Afghan Trade Agent. The fact that he would be stationed in an Indian State will have to be taken into consideration."¹

1306. The local authorities of both the North-West Frontier Province² and Baluchistan have consistently opposed the appointment of any more Trade Agents,³ and the proposals are for the present shelved.⁴

¹ Para. 17, Report of the Trade Delegation, 1934.

² *Cf. Express Letter from Norwef.*, No. 446-P. S. 622, dated 9th February 1928, A. S. XXIII, 30, and Norwef's No. 2666-P. C. 1402-P. S. of 20th August 1935.

³ Baluchistan's No. 1184-P. S. of 5th December 1935, F. No. 397-F/35.

⁴ Note by D. S. F., dated 10th May 1936 on file No. 397-F/35.

1307. Liability of Afghan Trade Agents to jurisdiction of British Courts.—Article VIII of the Anglo-Afghan Treaty of 1921 reads:—

“ The British Government agrees to the establishment of Trade Agents by the Afghan Government at Peshawar, Quetta and Parachinar, provided that the personnel and the property of the said agencies shall be subject to the operations of all British laws and orders and to the jurisdiction of British Courts ; and that they shall not be recognised by the British authorities as having any official or special privileged position ”.

1308. The Afghan Trade Agent and his staff at Peshawar showed an inclination to disregard the authority of a Magisterial Court before which their evidence was required in a certain case which continued through 1934 and 1935. This was in spite of the fact that Article VIII of the Anglo-Afghan Treaty lays down that Afghan Trade Agents “ shall not be recognised by the British authorities as having any official or special privileged position.” The principle was again stated that both the Trade Agent and his clerks are amenable to the laws of India, and do not enjoy any species of privilege exempting them from the obligation of attending court in obedience to normal process.¹ The Court had in the end to go the length of issuing coercive process against the clerks whose evidence was required, and was upheld in its action by the Government of India.²

1309. Trade with the United Kingdom.—Afghanistan has very little trade with private firms in the United Kingdom. The Afghan Government will not place large orders with firms that will not give deliveries on credit. His Majesty's Government will not give private firms any guarantee against default by the Afghan Government and British firms are in this respect at a disadvantage with firms in certain other countries. The only British firm which has proved willing to take the risk is Marconis Wireless Telegraph Company (England) which has delivered plant against instalments payable over six years. Sir Richard Maconachie hoped that credit for the purchase of industrial machinery might be arranged by His Majesty's Government, but His Majesty's Government insisted on a preliminary enquiry by an expert into the state of Afghanistan's finances.³ Afghanistan, which had in the meantime got the credits it wanted from Germany, declined this enquiry.⁴ It seems doubtful in any case if the Home Government would have risked any of its own money, though it might have advised the Government of India to do so. The Department of Overseas Trade felt both that His Majesty's Minister, Kabul, attached too much importance to the role of the export credit system in solving Afghanistan's difficulties, and also that it was illogical that the Export Credits Guarantee Department, concerned as it is with the insurance of commercial risks should be specifically asked to undertake such risks for the very reason that the country concerned was in an unsound financial condition.⁵ The same Department made a suggestion that possibly the economic condition of Afghanistan on the one hand, and the value of United Kingdom exports to that country on the other, might be improved by the conclusion of purchasing agreements of a certain nature. If, for example, arrangements could be come to whereby some such central commercial body as the London Fur Trade Association agreed to purchase not less than a certain number of skins over a given period while, in return, the Government of Afghanistan (or its monopolists), pledged itself to utilise the resulting sterling exchange as a basis for the purchase of British goods, it might then be possible, by paying cash or nearly cash terms for the lamb skins, and by selling British goods on reasonable credit terms secured by the receipts of the incoming lamb skins, to take a little of the strain off Afghan shoulders.⁶

¹ Telegram No. 2218 of 16th November 1934 and d. o. No. 859-E. of 8th January 1935, from Sir R. Maconachie (File No. 539-F/34).

² Letter to the Consul for Afghanistan, New Delhi, No. 6049-F/35, dated 1st January 1936, File No. 539-F/34, S. No. 26.

³ Telegram from F. O., London, to Min., Kabul, No. 49, dated 1st June 1935 (S. No. 73 of F.-575-F/34).

⁴ Despatch from Min., Kabul, to F. O., London, No. 98, dated 5th September 1935 (S. No. 88, *ibid*).

⁵ Letter from the Comptroller General, Dept. of Overseas Trade, London, to I. O., London, No. 26611/34, dated 7th December 1934 (File 575-F/34, S. No. 13).

⁶ *Ibid*.

1310. An agreement of a similar nature to that which the Department of Overseas Trade had in mind, though on terms rather more accommodating to Afghanistan has recently been concluded between a State controlled Russian Company, the Afghan Soov-Toorak, and the Ashami Company of Afghanistan.¹

1311. Mohammad Umar, a representative of the Afghan Government in London, has, with a considerable help from His Majesty's Government, made an agreement with the Hudson's Bay Company for taking a portion of the 'Persian lamb' trade, but has not succeeded either in forming a company with joint British and Afghan capital or in his efforts to get a complete cotton mill on credit from a Lancashire firm.² Negotiations with the Hudson's Bay Company were at first held up owing to a feeling on the part of the Afghan Government that a certain M. Provatoroff, who had cheated them over the 'Persian lamb' trade had done so as a representative of, if not with the connivance of, Messrs. Lampoon & Co., who were associated with the Hudson's Bay Company. It is doubtful if the successful outcome of the negotiations will have much immediate effect, since most of the 'Persian lamb' ³ crop seems to be already pledged to other countries.

1312. On the whole, trade between the United Kingdom and Afghanistan continues to stagnate, in spite of the efforts of the Afghan Government to stimulate it. These efforts included a visit to England and other countries by Abdul Majid himself, who had not returned from his tour by the time this chapter was written.

1313. **Trade with Russia.**—The Afghan Prime Minister's description of Russia's trade policy with Afghanistan given in 1934 has already been mentioned. According to him the Russian plan is by purchasing the bulk of Afghan products, such as 'Persian lamb,' cotton and wool to achieve control of the whole of Afghan foreign trade, and through such control to effect either political predominance in the present kingdom or else that kingdom's overthrow.⁴

1314. The Russians have shown themselves particularly accommodating to Afghan wishes in that they have been willing to pay cash down and even cash in advance for Afghan exports, and yet have been willing to take Afghan raw materials in exchange for their own imports into Afghanistan. The British Legation's Economic Report on Afghanistan for the first quarter of 1935 reports the payment of £320,000 into London Banks against purchases of 'Persian lamb' already made, *plus* £80,000 against future purchases. The report for the third quarter of the same year estimates that nearly half-a-million lamb skins had been exported to Russia and only a fifth of that number to Kabul. Afghanistan was at the same time reported to have promised the whole of the country's wool clip, amounting to 15,000 tons a year, to Russia for the next three years.

1315. From fear of an ulterior motive on Russia's part the Afghan Government have refused to conclude a Commercial Treaty with Russia, but have sought a basis for their trade relations in a combination of State trading and barter.⁵ The idea is for goods to be exchanged with Soviet organizations on a system of barter through organizations controlled by the Afghan Government. Russian petroleum products and sugar on the one side, and 'Persian lamb' from the other are the principal articles of exchange. The system has worked in practice for some years though early attempts to reduce it to writing were unsuccessful. The following extract from the Economic Report for the third quarter of 1935 is typical of many:—

“The Russians have contrived to strengthen their economic hold on the country. The fact that they do not want cash but raw materials in exchange for their goods is extremely attractive

¹ Para. 1317.

² Letter from I. O., London, to Min., Kabul, No. P. Z.-2504/35, dated 18th April 1935 (S. No. 69, F.-575-F/34).

³ Cf. S. Nos. 24 & 96 of F.575-F-34.

⁴ Sub. Enclosure II to S. No. 82 of F. 575-F/34.

⁵ Cf. Economic Report on the Commercial Policy of the Afghan Government for 1930-34, para. 5 (A. S. LIII, 284).

to the Afghans, and it is estimated that the export of raw material to the U. S. S. R. has increased almost six-fold during the last few years. The Russians appear to be making vigorous efforts to combat Japanese competition, and are reported to have flooded the Northern markets with their goods during the last months of 1934. They have been deliberately imitating Japanese piece-goods with considerable success".¹

1316. Throughout the period Afghanistan has been taking large supplies of Russian petrol, and it is only from political, not from economic reasons, that it has not ousted Indian supplies from the market altogether.²

1317. An agreement between the Afghan National Bank and the Soov-Afghan-Toorak was signed in April or May 1936. A copy of the agreement was forwarded with despatch No. 140 from His Majesty's Minister, Kabul, dated 7th October 1936, to the Foreign Office, London.³ The agreement is between 'the United Company dealing in the export and imports of the whole of the U. S. S. R. (the Sovafghantorg) on the one side, and the Afghan National Bank on the other. It is for a period of three years. The National Bank and 'the Companies' (apparently certain state-controlled companies) are to deliver, and the Sovafghantorg is to accept wool, cotton and raw opium to the value of nearly 10 million dollars, and Afghanistan is to import from the Sovafghantorg cotton textiles, loaf sugar, petrol, kerosene oil, motor vehicles and accessories, rubber shoes, packing materials, cotton seed, machinery and appliances etc., to about the same value.

Two points to which His Majesty's Minister drew attention in commenting on the agreement were (a) that it by no means covers the whole of Russo-Soviet Afghan trade, and (b) that the preferential prices fixed for certain important articles, e.g., kerosene oil, sugar and petrol 'for the south' appeared to be designed to enable these articles to compete with articles of the same kind imported from India.

1318. **Trade with Japan.**—The development of relations with Japan is due on the Afghan part to the desire to obtain support of whatever kind, against high-handedness on the part of the Soviet authorities. It resulted during King Nadir Shah's reign in an enormous increase of imports from Japan. Of late Japanese interests have been losing ground in two ways—their goods are succumbing to Russian counter-attacks, and the firms themselves are losing favour with the Afghan authorities partly because they are not taking any goods out of the country in exchange and partly because they have been working through Indian middlemen. The Japanese Legation is making efforts to revive and expand the trade, which is still very large. The estimated value of Japanese trade entering Afghanistan by the Khyber, Kurram and Chaman routes in the early months of 1936 was as follows :—

	February.		March.		April.		May.	
	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.
Piece-goods	3,99,057	13 10	2,80,099	9 7	3,13,355	2 5	4,54,490	2 8
Tea	51,628	7 0	27,134	3 4	35,144	0 0	57,404	15 7
Miscellaneous	18,263	6 0	8,888	0 0	10,753	13 0	18,673	8 0
Total .	4,68,949	10 10	3,16,121	12 11	3,59,252	15 5	5,30,568	10 3

1319. **Trade with Germany.**—The interesting point about Germany's relations with Afghanistan is that, although Germany has no obvious political axe to grind, she has been willing to grant Afghanistan the credits which Great

¹ Economic Report for third quarter of 1935.

² Cf. Economic Report for second quarter of 1936, Para. 40 (A. S. LX, 245).

³ A. S. LXI, 133.

Britain has refused. The credits are for purchases to be made from German firms. The first credit granted was a loan of 6 million marks to King Amanullah's Government. The present Government were still reported to be repaying this by instalments as recently as December 1934.¹ In the meanwhile negotiations for a second credit of a further six million marks were going on. It was reported in the Economic Report for the period April 1st to June 30th 1935 that the negotiations had come to a successful issue and that a credit of 6½ million marks with interest at 4 per cent. had been created. The principal intention of the credits is to enable the Afghans to buy machinery in Germany for the development of their own industries. Germany is interested also in opium and wool from Afghanistan.

1320. United States of America.—The trade relations between United States of America and Afghanistan at the moment are concerned with two matters, the export of Persian lamb and the import of motor vehicles. A company is reported to have been formed in America for the export of 'Persian lamb' with a capital of sixty thousand pounds, half subscribed by the Ashami Company and half by American business men. Abdul Majid has announced that during 1935-36 agreements have been signed with General Motors, Dodge and Ford Motor Companies as a result of which 528 lorries and cars have been purchased direct from America.

1321. Other countries.—There is a certain amount of trade with other foreign countries such as Italy, and Czechoslovakia but not of international importance.

1322. Development of local resources.—Schemes for the development of local resources include—

- (i) Mr. Robertson-Taylor's schemes.
- (ii) Exploitation of Mineral Resources.
- (iii) Establishment of Industries.

1323. Mr. Robertson-Taylor's Schemes.—Included with Sir Richard Maconachie's despatch recommending the grant of financial aid to Afghanistan² were notes on a number of schemes for the development of that country's own resources. They referred mostly to projects which Mr. Robertson-Taylor, a Director of Oriental Carpet Manufacturers Ltd., had been discussing with the Afghan Government. These projects were for the manufacture of sugar, the installation of cold storage plants to help the fruit industry, the marketing, preparation and export of wool, transit of Chitral timber, gold-washing, minting, leather-curing and the erection of a boot and shoe factory.³

1324. Such examination as the Government of India could make of Mr. Robertson-Taylor's schemes led them to regard them as based on unreliable data and liable to prove expensive failures. They could not even find an official or non-official expert whom they could send to Kabul to investigate them more closely. The sugar-scheme seemed the most important but could not be taken up until more reliable information was available.⁴ The Afghan Government have since begun to experiment on the sugar-scheme themselves, have selected an area for experiment, and have appointed a Czechoslovakian expert⁵.

The extent of the guarantee which would have been needed to finance Mr. Robertson-Taylor's schemes was estimated at £500,000 sterling.⁶

(Mr. Robertson-Taylor's own firm obtained a contract in 1935 for the supply of warm clothing to the Afghan army, in return for which they were to take 950 tons of raw wool from Afghanistan. The contract was loosely worded and has not been satisfactory in practice. He was reported in 1936

¹ Economic Report for first quarter of 1935, para. 39 (S. No. 70, File 575-F/34).

² Kabul despatch No. 9-Overseas Trade of 6th November 1934 (A. S. LV, 18).

³ Enclosure 1-5 to Min., Despatch No. 9-Overseas Trade of 6th November 1934 (S. No. 11, F. 575-F/34).

⁴ Telegram No. 443, S. No. 28 of F. 57-F/34.

⁵ Despatch from Min., Kabul, to F. O., London, No. 95, dated 30th August 1935 (A. S. LVII, 273).

⁶ S. No. 35, File 575-F/34.

to have agreed to the cancellation of half of it, but to retain the right to the remainder)¹.

1325. Exploitation of Mineral Resources.—(a) *Oil*.—Oil springs are known to exist in one or two places. The best known spring is Tirpul close to the Iranian Frontier west of Herat. A Japanese naval officer called Matsunga has visited it and is believed to have given an encouraging opinion on it. An American, possibly Mr. 'Clapp' who was prospecting even in Amanullah's time has also visited the spring and reported to the Afghan Government. Negotiations for the exploitation of the oil resources of Afghanistan were opened in 1936 by Mr. Hart on behalf of the Inland Development Company of America and were still in progress at the end of the period under report.

"According to information received privately from an Italian Engineer who has seen the spring it consists of a small circular depression about four feet in diameter containing crude oil mixed with sand. The oil is not flowing."² It is believed that oil springs has also been discovered in Maimana district.³

(ii) *Gold*.—Machinery to start work on the old Gold mine near Kandahar is reported to have been ordered. Experiments are being carried on with a gold washing machine on the banks of Oxus the sand of which is understood to contain gold.⁴

(iii) *Coal*.—There is coal in various places. The best area at present established is that near Lataband Pass between Kabul and Jalalabad. Work is supposed to be going to be started shortly on it⁵.

(iv) *Radium*.—"Some pieces of ore believed to contain radium were sent to the Government of India but the reply received was not favourable."⁶

(v) *Dyes*.—The 'Islah' has announced that tenders have been invited for the development of mineral dyes in Bamian area.

(vi) *Amethyst*.—An amethyst mine is believed to have been discovered near Kandahar.⁷

(vii) *Copper*—is believed to exist in Herat and Kandahar provinces.⁸

(viii) *Sodium nitrate*.—In Herat province⁹.

1326. Dr. Fox's Report.—Dr. Cyril S. Fox a geological expert in the employ of the Government of India was deputed to Afghanistan for two months in the early summer of 1936. His services were placed at the disposal of the Afghan Government in answer to a request for a mining engineer to assist with advice in opening up coal-mines. His report is available under the title 'The Coalfields of Afghanistan' (Confidential) printed by the Government of India Press, New Delhi, 1937.

The report is on the whole not encouraging. The deposits at Lataband, from which the Afghan Government entertained particular hopes were found to be of poor quality and not extensive.¹⁰ Other known deposits of coal which Dr. Fox was shown were equally disappointing.¹¹ On the other hand it was clear that there is an extensive coal-bearing formation with thick seams of good coal North of the 'Hindu Kush', and although the coal in most of the exposures seen was so crushed and disturbed as to be unworkable, Dr. Fox felt that it would be 'unduly pessimistic' to give up hope of finding these thick seams in undisturbed condition¹². He recommended a thorough survey over an area of 3,600 square miles to find 'a suitable area for boring

¹ Economic Report on Afghanistan for third quarter of 1936 (A. S. LXI, 142).

² Economic Report for first quarter of 1935, para. 44 (A. S. LVI, 224).

³ Economic Report for third quarter of 1935, para. 42 (A. S. LVIII, 271).

⁴ *Ibidem*.

⁵ See para. 1326.

⁶ Economic Report for first quarter of 1935, para. 45 (A. S. LVI, 224).

⁷ Economic Report for third quarter of 1935, para. 42 (A. S. LVIII, 271).

⁸ *Ibidem*.

⁹ *Ibidem*.

¹⁰ The Coalfields of Afghanistan by Dr. Cyril S. Fox, para. 12(a).

¹¹ *Ibid*, paras. 13-27.

¹² *Ibid*, para. 28.

and the development of a good coal mine'.¹ But to make the most of the coal-mine, when found, it would be necessary to develop efficient and cheap communications, preferably railways.²

The report mentions also iron ore, lead, copper ore, salt, gypsum, serpentine, lapis lazuli, sulphur and limestone, and contains suggestions for using the available local resources towards meeting the immediate needs of Kabul.

1326A. Establishment of Industries.—The Afghan Government, though entertaining high hopes that the discovery of coal in large quantities will bring industrial prosperity to the country, are not waiting on this event to develop such industries as they can. A special department of Industries has been formed under the Ministry of Commerce with powers to grant various concessions and facilities to individuals for the establishment of new industries. The Government Wool Factory at Kandahar, fitted with plant bought on credit from Germany, was reported by the end of 1936 to be in working order. Four Germans were already employed and two more were expected. The factory was said to contain twenty looms and to be capable of producing 800 metres of cloth in eight working hours. A private individual at Kandahar had imported from Germany two flour mills, two rice husking machines, a saw mill and a soda water machine, all to be worked by electric power.³

On the other hand, a large factory at Mazar-i-Sharif, containing cotton dressing and baling, oilpressing and soap-making machines, and a hydro-electric power engine, the whole of which had originally cost Rs. 7,00,000 Afghani was offered for sale in November 1935 for Rs. 1,00,000 Afghani.⁴

Silk cocoons have been distributed in the Eastern Province in the hope of reviving the silk industry, and arrangements were being made for the supply of mulberry plants.⁵

Periodical exhibitions of local industries are held. The following is a brief account of the exhibition held in 1935 :—

“ An exhibition of local industries was held during the Independence Celebrations in August. Amongst the objects displayed were carpets, furniture, jewellery, marble-dishes and ornaments, boots and shoes, and a few woollen goods and other textiles. The carpets were of good quality and design but expensive. The furniture was modern in style and attractively veneered; it appeared well made. The jewellery consisted of pieces of local lapis lazuli and amethyst, carved and polished but unset. The work is done by an imported German expert, who is endeavouring to educate local talent. The boots and shoes were outwardly at any rate of surprisingly good quality, but the woollen goods were distinctly crude⁶”.

A match factory, a woollen factory and an ordnance factory at Kabul and a cotton-ginning and pressing mill at Farrah, all work spasmodically and not very efficiently.⁷

1327. Economic Reports on Afghanistan.—The first report on the commercial policy of the present regime in Afghanistan is that included in Sir Richard Maconachie's despatch No. 6-Overseas Trade, dated 15th June 1934.⁸ This despatch deals with the policy from 1930 to 1934. Since then the British Legation has prepared and submitted to the Foreign Office, London, quarterly economic reports. Copies of these are sent to the Secretary of State for India and to the Government of India.

¹ *Ibid* para. 42.

² *Ibid* paras. 38 and 44.

³ Economic Report for third quarter of 1936, paras. 32-35 (A. S. LXI, 142).

⁴ Economic Report for last quarter of 1935, para. 44 (A. S. LIX, 134).

⁵ Economic Report for first quarter of 1936, para. 42 (A. S. LX, 17).

⁶ Economic Report for third quarter of 1935, para. 43 (A. S. LVIII, 271).

⁷ Economic Report for second quarter of 1935, paras. 41-46 (A. S. LVII 114).

⁸ A. S. LIII, 284.

NOTES ON CERTAIN PARAGRAPHS OF CHAPTER XXXIII OF THE AFGHAN PRECIS OF 1927.

1328. (1) The present commercial policy is the development of the policy foreshadowed in 1924, when it was reported : --

“ The present policy of the Afghan Government, besides being strongly protectionist in character, is unfavourable to the exploitation of the resources of the country by unofficial agency of any kind. The main considerations which seem to govern the attitude of the Amir towards any commercial enterprise appear to be a fear of foreign penetration, and a conviction that, if any profits are to be made in Afghanistan, the State should secure the lion's share of them ”.¹

(2) The beginning of State Companies is described in paragraph 625.

(3) The present difficulties of Indians and other foreigners trading in Afghanistan are almost identical with the difficulties described in paragraph 632.

(4) The exemption from Customs duty for State goods, conferred by Article VII of the Treaty (paragraph 633) is still in force. There has been some difficulty over it in practice owing to failures to understand what are and what are not State goods. The Afghans have tried to claim exemption for goods imported for re-sale by the Shirkat-i-Ashami, saying that this is a State Company, or for such goods as sugar machinery, obviously intended for State trading or State monopoly. His Majesty's Minister explained the difference between goods which are, and goods which are not, exempt from Customs duty as State goods in an interview with the Afghan Foreign Minister on 28th May 1934.² Instructions intended to make the distinction clear to Afghan Consuls were issued by the Government of India in July 1934.³ The Afghan Government at least showed that they understood these instructions by making an amended declaration in December 1934 about some motor-lorries which had been originally intended for a Government department but were later caused to be re-sold through the Shirkat.⁴

When effect is given to the new concession of “ Free Transit ”, Articles VII and IX of the Treaty will have to be re-written, and the distinction between State goods and other goods will disappear.⁵

(5) “ Freedom of transit ” (paragraph 635) has now been granted without the Barcelona Convention being invoked.⁶

“ It appears from paragraph 635(2) that the tentative view held in 1927 was that it would be contrary to the spirit of the Barcelona Statute to deny transit facilities at least at Chaman and Landi Khana routes, where railhead is within sight of the Frontier on the ground that there was a transfer from rail to road. The opinion now accepted is that as it is conclusive that the Statute has no application to transit by road, there would be no necessity to apply it even on these two routes ”.⁷

(6) A Customs tariff has been imposed on certain articles entering India by land along the whole land frontier of India, including the Indo-Afghan Frontier (paragraphs 637 and 1298-1299).

(7) Khyber tolls (paragraph 638)—See paragraphs 1292—1297.

(8) Trade Agents (paragraph 639)—See paragraphs 1302—1304.

(9) No Trade Agents of the kind contemplated in paragraph 641 have been appointed, but the post of Indian Trade Agent at Kabul has been created.⁸

(10) The Afghan Trade Agent, Quetta (paragraph 642) has now been allowed to reside at Chaman.⁹

¹ Kabul Despatch 91(22-7-1924) (Afghan Précis 1927, para. 622).

² Letter from Min., Kabul, No. 300, dated 13th June 1934 (A. S. LIII, 262).

³ Memo. to Chief Secy. to Bombay Govt., No. F-235-F/34, dated 26th July 1934 (A. S. LIV, 83).

⁴ Kabul's Express Letter No. 300, dated 30th November 1934 (A. S. LV, 59).

⁵ Express Letter to Min., Kabul, No. F.539-F/34, dated 12th June 1935 (A. S. LVII, 21).

⁶ Paras. 1285—1288.

⁷ File No. 446-F/35 (notes).

⁸ Para. 1301.

⁹ Para. 1303.

CHAPTER XXIII.

POST AND TELEGRAPH QUESTIONS.

1329. The Afghan Posts and Telegraphs Department has made considerable progress during the last ten years. Afghanistan joined the International Postal Union in 1928, and the International Telegraph Union a little later. Early in 1932 Postal and Telegraphic Agreements between Russia and Afghanistan were signed. Partly as a set-off against these, and partly for the purpose of resolving many of their own difficulties the Afghan Government invited a deputation from the Government of India to visit Kabul. The deputation, consisting of Rai Bahadur P. N. Mukerji (Posts) and Mr. Brokenshaw (Telegraphs), reached Kabul towards the end of May 1932 and spent about three weeks there. Their report was printed for the Indian Posts and Telegraphs Department by the Government of India Press, Simla in 1932, and copy is placed on Afghan Series Part XLV. A copy was sent to the British Legation, Kabul with letter No. F. 55-F/32, dated Simla, 21st July 1932.

1330. Rai Bahadur P. N. Mukerji pointed out to the Afghan Government that as both Afghanistan and India were parties to the Universal Postal Union, the two countries were already under treaty obligations in the matter of postal relationship and that all exchanges relating to the letter post were governed by the provisions of the Convention. He satisfied the Afghan Government that no fresh agreement was necessary, as the points at issue were already covered by the general principles enunciated in the Convention and the details were for settlement between the two parties.

Rai Bahadur P. N. Mukerji was able to resolve many of Afghanistan's difficulties on the spot and to indicate the lines on which others could be resolved later.

The difficulties which the Afghans were experiencing over parcels would disappear when Afghanistan became a party to the Parcel Post Agreement of the Union.¹

1331. In the matter of Telegraphs the principal points to be dealt with were :—

- (a) The initiation in Afghanistan of a system of International Accounts for settlement of dues on foreign telegrams ; and
- (b) the starting of a Telegraph Check office on the lines of the Indian Posts and Telegraphs Department's Office in Calcutta.

These two problems had to be satisfactorily settled before Afghanistan could take its place with other countries as a full member of the International Telegraph Convention. It had actually joined the Union as long ago as 1928.²

As a result of Mr. Brokenshaw's discussions with the Afghan Government, and after 'prolific correspondence' between the Posts and Telegraphs Departments of the two Governments Agreement was at length reached. From 1st July 1936 onwards, telegrams could be accepted in Afghanistan for despatch to all other countries which were members of the Union, or delivered on receipt from such countries, the charges being fully pre-paid in the country of origin.³

¹ Afghanistan has since made application for this—*Vice* letter from the Assistant Deputy Director-General, Posts and Telegraphs, India, to the Director, International Bureau of the Universal Postal Union, Berne, Switzerland, No. 553-F.M./32, dated the 23rd January 1933 (A. S. XLVII, 136).

² Kabul Despatch No. 101 of 22nd July 1936 (A.S. LX, 246).

³ (*Ibidem*).

CHAPTER XXIV.

POSITION OF FOREIGNERS IN KABUL.

1332. **Employment of European British Subjects in Kabul.**—Sir Richard Maconachie did not favour employment of European British subjects under the Afghan Government. His objections were¹ :—

- (i) That the position of foreigners under the Afghan Law was uncertain and probably worse than it had been in King Aman-ullah's time; it was not even certain that they might not be subject to 'Qisas', the practice whereby any one responsible for the death of a Muslim may find himself handed over to the relatives for execution in any way they may think fit.
- (ii) That the pay and accommodation given to them would probably be wretched, as it was in the case of the French schoolmasters.
- (iii) That the Afghan Government would probably engage an equal number of Russians to keep the scales equal.

He recommended that European British subjects should not be allowed to take service in Kabul without such guarantees as contracts safeguarding their fair treatment under the law, free access to the British Legation, exemption of correspondence from interference, decent accommodation, and protection from the persecutions of Afghan petty officials.

1333. **Code Regulating the Employment of Foreigners in Afghanistan.**—In June 1936, His Majesty's Minister was given by the Afghan Government a copy of a new "Code to regulate the employment of Foreign subjects in Afghanistan²." A translation of this as follows :—

TRANSLATION.

- " 1. At the time of the execution of an agreement with an employee, the nationality, the professional and educational qualifications, the period of service, pay, etc., must be clearly stated.
- 2. Employees of the Afghan Government must conduct themselves in accordance with the laws and regulations of the land.
- 3. Employees may not interfere in the political or religious affairs of Afghanistan nor may they take part in trade. Notwithstanding the provisions of any law in force in the country, a violation of the foregoing rule will render an agreement liable to cancellation, and the rights of an employee under such agreement will thereby be extinguished.
- 4. Ordinary leave, excluding sick leave as defined in clause 5, shall be granted to employees according to the rules of the Afghan Government. Leave taken by employees on national and religious holidays and also that taken on urgent or recreational grounds shall, as laid down in the "Attendance Regulations" be taken into consideration, in computing the amount of leave due.
- 5. The period of sick leave permissible, during any one year, either in or *ex*-Afghanistan is one month with a full emolument and a further month with half emoluments. Should an employee continue on the sick list for longer than those periods the Afghan Government is empowered to cancel his agreement. When an agreement has thus been cancelled, the Government shall pay the return journey expenses in accordance with that agreement.

NOTE.—When in Afghanistan, sick leave shall be granted on the strength of a medical certificate from the doctor in charge of the department in which the sick employee serves. When it is not possible for treatment to be obtained in Afghanistan and the sick person goes abroad then leave shall be granted on a certificate from a representative of Afghanistan and from a qualified doctor.

¹ A. S. XXXIII, 173 and 299.

² Despatch from Min., Kabul, to F. O., London, No. 78, dated 9th June 1936 (A. S. LX, 168).

6. Whenever on account of lack of attention to duties it appears that an employee's contract should be cancelled before the date of expiry of the contract then the employee shall be paid his travelling expenses and one month's pay if the unexpired portion of the agreement is a period of from six months to one year, and if the unexpired portion is a period of over one year then the employee shall receive his return journey expenses and two months' pay. In both cases the agreement shall be cancelled.

NOTE.—If on account of misbehaviour it becomes necessary to cancel an agreement, then, in addition to any action taken according to the laws of the country, the agreement shall be cancelled and the employee deprived of any claim to pay or journey expenses.

7. In accordance with authority entrusted to them Ministries and Independent Departments may renew or extend the contracts of foreign employees but the scrutiny of such agreements is the duty of the Ministry of Foreign Affairs.
8. Any department wishing to engage an employee must do so through Afghan representatives abroad in accordance with the rules.
9. After publication the provisions of this code shall be brought into force, and departments engaging employees must thenceforth follow its provisions¹."

1334. **Accidental homicide by Foreigners.**—There are, at any rate, indications that the law of ' Qisas ' is not to be applied in cases of accidental killings.

EXAMPLES.

(i) An Afghan boy died as a result of an accident in which he was hit by a car driven by Mr. Stranger, Garage Superintendent of the British Legation². For almost a year no mention of the accident was made by the Afghan Government whose attitude throughout was entirely correct, but who were nevertheless considerably worried about it. A sum of Rs. 6,000 Afghani was eventually paid by the British Legation as a " token of sympathy with the father of the boy ", and the Afghan Foreign Office sent a written assurance that he was content³.

(ii) A Ghilzai woman was killed in April 1931 by a lorry driven by a British Indian subject named Partab Singh. His Majesty's Minister, who was watching the case, was given an assurance that the case would be settled by blood money. The law of Qisas, he said, was applicable only to cases of homicide with lethal weapons in which category motors had not yet been included⁴. The amount of blood money demanded was said to be Rs. 4,000 (A).

(iii) A similar accident occurred near Jalalabad in May 1931. The driver was a British Indian subject named S. Qasim Shah. In this case the sum demanded was said to be Rs. 3,000 (A)⁵.

(iv) Another case was reported in November 1932⁶.

' Qisas ' was not applied in any of these cases.

1335. On the other hand, short of the application of the law of Qisas, the lot of the Indian lorry driver " is not a happy one since the jay-walker receives the strongest support from the Afghan Government in his struggle for existence. For a driver whose lorry has been involved in a fatal accident, whatever the circumstances may be, a sentence of three or four years imprisonment is not unusual, although there is nothing to suggest any discrimination in the matter of punishment against Indian drivers as such. One of

¹ Despatch from Min., Kabul, to F.O., London, No. 78, dated 9th June 1936 (A.S. LX, 168).

² Afghan Précis (1927), para. 659.

³ Despatch from C.d'A., Kabul, to F.O., London, No. 32, dated 27th April 1928 (A.S. XXIII, 178).

⁴ Despatch from Min., Kabul, to F.O., London, No. 56, dated 7th May 1931 (A.S. XL, 13).

⁵ *Ibid.*, Enclosure.

⁶ Despatch from Min., Kabul, to F.O., London, No. 128, dated 29th November 1932 (A. S. XLVI, 269).

these who ran over an Afghan recently was reported to have lost no time in inflating an inner tube and jumping with it into the Kabul river, where he was last seen making good progress in the direction of India. Usually of course the driver has no chance of escape, but often prefers to make private arrangements for reducing his punishment rather than attract the notice of the Government to his case by seeking the assistance of His Majesty's Legation¹."

1336. Proposal to Employ a British Nurse.—Early in 1936 the Afghan Government applied to the Secretary, The Overseas Nursing Association, London, for a British nurse to go to Afghanistan to establish a proper Nursing Service in that country. The Overseas Nursing Association, though told that His Majesty's Government would view with favour any assistance which they might be able to give, were warned of possible difficulties in the following terms :—

"The Association will appreciate that a nurse while in Afghanistan would be the employee of the Afghan Government. The experience of other foreign employees of the Afghan Government suggests that she might be liable, in the discharge of her duties, to annoyance and petty interference by officials and it is possible that these might be found intolerable. The usual amenities of life are almost wholly lacking in Afghanistan, accommodation is primitive and conditions generally are often depressing, especially for a single person. Anyone taking service in Afghanistan who might go elsewhere must be imbued with something of the pioneering spirit and be prepared to endure hardships in a good cause. Europeans while in Afghanistan are subject to Islamic Law, which of course contains certain provisions repugnant to Western ideas. The risk of a British nurse being subjected to such provisions is, however, small, particularly in view of the anxiety of the Afghan Government to preserve their reputation as a progressive and enlightened régime. Of course the nurse would be assured of the protection of His Majesty's Minister at Kabul, to whom she could apply if in trouble²."

The Association were advised to take the greatest care in preparing the contract, and invited to refer the draft to the Foreign Office if they wished.

1337. List of Foreigners in Afghanistan.—A revised list of foreigners in Afghanistan forwarded with confidential memorandum No. 340, from the British Legation, Kabul, dated 1st July 1936,³ showed the following numbers :—

American (U.S.A.)	3
British (European, not connected with His Majesty's Legation)	5 ⁴
British (non-European, not connected with His Majesty's Legation)	1
Czecho-Slovak	3
Egyptian	1
Finnish	1

¹ Despatch from Min., Kabul, to F.O., London, No. 22, dated 22nd February 1935 (A.S. LV, 260).

² Letter from F.O., London, to the Secretary, Overseas Nursing Association, London, No. (N.2012/1677/97), dated 24th April 1936 (A.S. LX, 69).

³ Memo. from Counsellor, B.L., Kabul, No. 340, dated 1st July 1936 (A.S. LX, 216).

⁴ Details of the British personnel were as follows :—

British (European, not connected with His Majesty's Legation).

Boome, G. J. . . . Representative of Messrs. Marconi Co., Ltd.

Gray, G. W. . . . Representative of Messrs. Marconi Co., Ltd.

Mackie, T. Mrs. . . . Typist employed by Messrs. Skoda Works.

Robertson-Taylor, W. . . . Director, Oriental Carpet Co., Amritsar. (Visits Afghanistan periodically.)

Stern, J. . . . Director "Furenbond Brokers" (London), Ltd.

British (Non-European, not connected with His Majesty's Legation).

Yadgaroff, Rahmin . . . Representative, Fur and Skin Dealers, London.

French	.	.	.	.	.	.	.	.	.	.	.	.	22
German	.	.	.	.	.	.	.	.	.	.	.	.	59
Hungarian	.	.	.	.	.	.	.	.	.	.	.	.	2
Iranian	.	.	.	.	.	.	.	.	.	.	.	.	12
Italian	.	.	.	.	.	.	.	.	.	.	.	.	14
Japanese	.	.	.	.	.	.	.	.	.	.	.	.	12
Polish	.	.	.	.	.	.	.	.	.	.	.	.	1
Russian	.	.	.	.	.	.	.	.	.	.	.	.	18
Swedish	.	.	.	.	.	.	.	.	.	.	.	.	2
Swiss	.	.	.	.	.	.	.	.	.	.	.	.	1
Turkish	.	.	.	.	.	.	.	.	.	.	.	.	39

It will be noticed that none of them were employees of the Afghan Government.

The totals other than those of British subjects included members of the Legation Staffs.

1338. Lists of Indian (British) subjects are compiled separately. They are included in the totals of the quinquennial returns of British subjects sent to the Foreign Office, London. The latest return, dated 20th July 1936, showed a total of 227 British subjects in Afghanistan of whom only 21 were of European race¹.

¹ Despatch from Min., Kabul, to F.O., London, No. 98, dated 20th July 1936 (A.S. LX, 244).

CHAPTER XXV.

THE NEXT TREATY.

1339. Throughout the period of King Amanullah's reign His Majesty's Government and the Government of India expected the Afghan Government to ask for a new Treaty. The position up to the middle of 1927 is described in paragraphs 682—698 of the Afghan Précis 1927. Discussions between His Majesty's Government and the Government of India continued during 1927 and 1928, and in May 1928, when it seemed certain that the question would be raised on King Amanullah's return to his country, detailed instructions were issued to His Majesty's Minister, Kabul. These were as follows¹:—

“LETTER FROM THE FOREIGN OFFICE, LONDON, TO LT.-COL. SIR FRANCIS HUMPHRYS, G.C.V.O., K.B.E., C.I.E., KABUL, No. 75, DATED THE 12TH MAY 1928.

In view of the expectation that the Afghan Government may put forward on your return to Kabul proposals for the revision of the existing Anglo-Afghan treaty, I enclose for your information a note summarising the views at present held by His Majesty's Government in regard to the various questions that are in that event likely to arise.

- (2) You will of course refer to His Majesty's Government for further definite instructions before actually entering upon negotiations for a new treaty, but this note will serve as a convenient basis for further correspondence, and will, it is thought, be found, when the time comes, to provide you with sufficient general guidance to enable you to conduct negotiations with a minimum of inconvenience, and delay.
- (3) It is hoped that you will find opportunity, in the course of your return journey to Kabul, to discuss the whole subject further with the Government of India, to whom a copy of this letter and enclosure are being sent, with a view to clearing up such doubtful points as remain. It appears necessary, in particular, that the question of freedom of transit should be carefully examined by experts in India, in consultation with yourself as far as possible, in order that you may be in a position to define clearly and in detail the concession that it is proposed to make to the Afghans under this head.

Copy.

Secret.

Note on Questions arising in connection with the Revision of the Anglo-Afghan Treaty.

- (1) Any Afghan suggestions for an offensive and defensive alliance, or other measures based on co-operation against Russia, should be rejected—firmly, but in as friendly a way as possible. (For the purposes of oral discussions, outside the treaty, the approved formula could be borne in mind: “that Britain could never regard with indifference the interference by a foreign Power in the existing territory of a friendly Afghanistan, but that the exact steps which ought, in that event to be taken, must depend upon the circumstances of the moment”).
- (2) Any suggestion for the grant of a cash subsidy to Afghanistan must also be quite definitely rejected. (*This was in deference to the strongly expressed wish of the Government of India*)².

¹ Letter from India Office, No. P. 2489, dated 17th May 1928 (A. S. XXIV, 17).

² Telegram to I.O., London, No. 333-S., dated 15th February 1928 (A.S. XXIII, 39).

- (3) It is possible that the Afghan Government might suggest a treaty of neutrality on the lines of their treaties with Russia and Iran. This question has hitherto not been examined in detail. *Prima facie* there would seem to be little useful purpose for either party to be served by a treaty of this kind, and on the British side there would be the difficulty that some of the undertakings in the Afghan neutrality pacts are incompatible with the obligations of members of the League of Nations. It has been decided that, while it is unnecessary to encourage Afghanistan to apply for membership of the League of Nations, any proposal in this direction that may come from the Afghan side should be supported. If any suggestion for a neutrality pact comes from the Afghans, it should be received in a sympathetic spirit, but it would be necessary to enquire exactly what provisions they wished to include in the treaty, and probably to point out the possible difficulty arising from British obligations to the League.
- (4) As regards the existing treaty, our attitude is that the British Government find it reasonably satisfactory, and do not themselves wish to propose revision. But if revision is to be undertaken, the British Government would desire to secure—
- (a) the right to appoint British Consuls at Herat and Mazar-i-Sharif;
 - (b) the right to appoint an Air Attaché. This, it is suggested, would be best secured, not by express provision, but by the inclusion of a clause granting His Majesty's Government all ordinary diplomatic rights, and
 - (c) the revision of Schedule II to the existing treaty with a view to the removal of various restrictions (*e.g.*, on the number of persons to be employed by the Minister) that are not in accordance with ordinary international practice.
- (5) The British Government no longer desire to secure by treaty the exclusion of Russian Consulates from South Eastern Afghanistan; nor would it be desirable to deal with the subject in a letter outside the treaty. It might, however, still be pointed out to the Afghans orally, without claiming a voice in the actual question of admitting Russian Consuls, which touches Afghan independence, that there can be little or no legitimate reason for the appointment of Russian Consuls in these parts, that they might well make it their main business to stir up trouble between the British authorities and the tribesmen, or between the British and the Afghan authorities, and that if we found this to be the case we should of course reserve all the ordinary international rights of protest against objectionable activities.

This could be said with all the more force in regard to Jalalabad, which is understood to be the area to which the Government of India's objections to the admission of Russians more especially apply, because the Afghans have not already conceded to the Russians a treaty right to appoint a Consul there, as they have at Ghazni and Kandahar. But it does not appear advisable to attempt to take advantage of this fact to retain a treaty provision excluding Russians from the Jalalabad area only. To do so would still be open to the other general objections—that it would be a departure from ordinary international practice and an infringement on Afghan independence; and it would inevitably prejudice the prospect of our being able to appoint British Consuls at Herat and Mazar-i-Sharif.

- (6) The British Government are willing to grant some measure of free transit through India to Afghanistan, without payment

of Customs duties, for trade goods. The precise definition of the concession requires further careful consideration by experts in India familiar with the technicalities involved, and with the existing practice. This concession, as envisaged hitherto, has been limited to goods "in genuine transit", as defined with reference to the Barcelona Convention. For the purposes of negotiation, however, it would probably be inadvisable to mention the Barcelona Convention in discussing the subject with the Afghans. To do so would almost inevitably give an opening for the Afghan suggestion that freedom of transit is a matter of right and not a concession for which they should give a *quid pro quo*, with the result that the surrender of the *quid pro quo* would lose its value as a concession or bargaining counter.

- (7) The Government of India are also willing to grant further concessions in the shape of some arrangement for the continuance on a regularised basis of the existing practice under which refunds of customs duties (as distinguished from total exemption), as proposed in (6), are granted to goods that are not strictly speaking "in genuine transit". This proposal will have to be examined by experts in India, together with that under (6). The Government of India have proposed (and repeated the proposal in their telegram¹ of the 20th March) that the continuance of the further concessions under (7) should be made dependent on friendly behaviour on the part of the Afghans. The proposal might, it is suggested, be left for further consideration when the time comes. Its bearings will be clearer when the position in regard to the concessions, and their relation to the treaty, has been more clearly defined.

The question also arises whether freedom of transit for arms and munitions should continue to be made dependent as in the existing treaty, on the British Government being "assured that the intentions of the Government of Afghanistan are friendly, and that there is no immediate danger to India from such importation in Afghanistan". So long as the possibility of stopping arms (which has been described as a right exercised by every nation) is not explicitly renounced by the new treaty, it does not appear necessary that it should be explicitly asserted again.

- (8) Requests for the appointment of an Afghan Consul at Peshawar and Trade Agent at Chaman can be favourably considered.
- (9) No suggestions for territorial concessions or claims to a right of interference in British tribal territory can be entertained. It is undesirable to renew even the admission of academic interest in the tribes on the British side of the Durand line contained in the fourth letter appended to the existing treaty. On the other hand subject to any views that the Government of India may wish to put forward on the point (which has not been explicitly mentioned in recent discussions), it is not considered desirable to attempt to include in the treaty an explicit renunciation by the Afghans of the practices of paying allowances to our tribesmen and summoning them to meetings in Afghanistan.
- (10) Mutual arrangements for the extradition of criminals are impossible. But a clause can be included in the treaty to the effect that, while the formulation of a separate extradition agreement is felt by both Governments to be premature, they recognise that it is in the interests of the peace of the common border that each Government should undertake at the request of the other to remove to an effective distance from

the frontier any dangerous criminal who may have taken refuge in its territory after having committed a heinous offence in his own country.

- (11) It is undesirable to include in the treaty specific mention of any gifts or assistance in kind to the Afghans. But a clause could be included in the treaty, if this is desired, to the effect that Great Britain takes a friendly interest in the development of Afghanistan, and is ready to co-operate with the Afghan Government in measures designed towards the promotion of the common commercial interests of the two countries.
- (12) The British Government will be ready, so far as they are concerned to dispense with the one year's notice of termination provided for in the existing treaty, if a new treaty is agreed upon".

The Afghan Government did not come out with a request for a new Treaty until 24th October 1928 when Sardar Ghulam Saddiq communicated it to Sir Francis Humphrys. No progress had been made by the time the rebellion broke out.

1340. The possibility of a new Treaty was considered again when diplomatic relations with His Majesty King Nadir Shah's Government were taken up. The Government of India by that time did not feel the want of a new treaty, but were content to let new relations develop on the basis of the old treaty. They thought it better to leave the next move to King Nadir Shah, if he wanted a new Treaty.¹ The opportunity was nevertheless taken to consider again various points which might be raised.² From the opinions expressed at that time, and from later correspondence on particular points, the situation at present seems to be as follows :—

(The paragraphs are numbered with reference to the instructions to Sir Francis Humphrys quoted above.)

1. Proposals for co-operation against Russian aggression.

It has again been repeated that no treaty guarantee of Afghanistan's Northern Frontier could be given.³ Nevertheless the Afghan Government have been given an assurance that in the event of a serious unprovoked invasion of Afghan Territory, His Majesty's Government in the United Kingdom would be prepared, if their previous diplomatic intervention had failed, to break off diplomatic and commercial relations with the Soviet Government.⁴

(2) Although it is still laid down that any suggestion for a cash subsidy to Afghanistan must be definitely rejected, Sir Evelyn Howell noted in 1930 that the Government of India may find themselves forced back to it in the end.⁵

The Government of India gave a summary of their objections in 1928 as follows :—

"(1) *Subsidy*.—In particular everything goes to show that Amanullah will again stand out for a cash subsidy. We must resist this for a host of reasons. It would be retrograde to reinstitute it after seven or eight years of Anglo-Afghan relations without one. If reinstituted, we might find our subsidy devoted to schemes (e.g., communications north of the Hindu Kush or Mahsud allowances) highly detrimental to India's interest. There is, furthermore, the Afghan tendency to regard anything guaranteed in a Treaty as something conferring no merit on the giver, to be enjoyed by themselves as a matter

¹ Telegram to I.O., London, No. 3333-S., dated 13th November 1929 (A.S. XXIX, 199).

² Notes pages 2—7 of A.S. XXXI.

³ Telegram from I.O., London, No. 207, dated 18th January 1930 (A.S. XXX, 128)

Cf. also note by Sir Evelyn Howell, dated 4th March 1930 (n. p. 4 of A.S. XXXI).

⁴ Para. 936.

⁵ Note by Sir Evelyn Howell, dated 5th March 1930 (notes page 4 of A.S. XXXI).

of course and to be used as a jumping off ground for fresh concessions. Therefore our opinion is that in any circumstances which can at present be foreseen, a demand for a subsidy should be resisted.”¹

The Secretary of State was not entirely satisfied and requested further consideration of the arguments. He asked whether the absolute refusal to consider a cash subsidy would not involve too great a risk of throwing the Afghans entirely into the hands of Russia. He suggested as a possible alternative the giving of a hint to the Afghans that they might possibly obtain a British subsidy if they gave up their Russian subsidy.²

The Government of India replied as follows :—

“ We are very reluctant to contemplate possibility that the old cash subsidy system will be reverted to and feel that if from the outset we set our face against any such suggestion and at the same time show that we are disposed to be generous otherwise, chances that the Afghan Government will make it a case of Great Britain or Russia or *sine qua non* of friendly relations ought to be slight. However if matters are really forced to this pitch, we realise that we may not in the last resort be able to afford to adhere to attitude of blank negation. The two forms which a regular cash subsidy might take are analysed by us thus :—

1. *Subsidy conditional on Afghanistan not receiving any from Russia.*—There are, apart from financial objections on the score of size, two fundamental objections to this, either of which seems fatal.

- (a) It would embody the auction in its crudest form and be a standing encouragement for Afghanistan to blackmail us into increasing our figure and to tempt Russia into buying us out.
- (b) It would be easy to evade the condition, impossible to get proof of some forms of evasion, and constant friction over question of fulfilment cannot be avoided. Even as it is though subsidy of million roubles from Russia has been in force for seven years, and only one or two instances in which cash has actually passed hands has come to our certain knowledge, most of the subsidy has been devoted to the supply of personnel and material. Thus even under conditions in which neither side has any apparent reason for camouflage but rather the reverse, it has been extremely difficult for us to find out whether any particular Russian aid has been gratuitous or charged to the subsidy account. The ascertainment of the facts would in the circumstances we are now postulating, be far more difficult; the presentation of proof even in favourable cases hardly feasible, and in most cases quite impossible. There is no doubt that if we stipulated that there should be no aid from Russians whatsoever, whether in the form of a cash subsidy or an occasional lump sum or in kind, then obviously evasion would be less easy and our position would in this regard to be more satisfactory. But we believe that such a stipulation except during some period of acute tension between Afghanistan and Russia or possibly as part of an Afghan manoeuvre to set the auction going or to make mischief between Russia and ourselves is wholly outside the region of practical politics and dangerous for us even to suggest.

2. *Cash subsidy without relation or reference to the subsidy from Russia.*—The element of auction even here would not be wholly absent. For however detached the attitude we sought to adopt in its fixation, comparison with the Russian figure would lie on the surface during the discussions leading up to it. Once subsidy is

¹ Telegram to I.O., London, No. 6-S., dated 3rd January 1928 (A.S. XXII, 286-A).

² Telegram from I.O., London, No. 309, dated 2nd February 1928 (A.S. XXIII, 17).

fixed however there would be no auction for the term of the currency of the treaty. But though such a subsidy would have some advantage as a steadying influence generally and might, in times of trouble prove a welcome lever (for we cannot always hope to have an Afghan consignment of arms to hold up as in the 1923 crisis) it would of course suffer from all the grave disadvantages inherent in the grant of a subsidy on which stress was laid in our previous telegram. It would be considered by us only in the last resort.

There are two other ways in which cash might be given.

3. *Periodical cash gifts of varying and unspecified size at varying and unspecified intervals.*—This would have some of the advantages of a subsidy in kind. The element of uncertainty and irregularity might help to invest the giver with some merit for each gift and to inspire the recipient to earn another dole by another bout of good behaviour. Indeed it would have one advantage over some forms of a subsidy in kind in that it would be free from that element of schoolmasterly interference in Amir's internal affairs which he seems to fear would be inseparable either in fact or public opinion from our active participation in the Kabul road project. But as an institution or form of subsidy such irregular cash gifts would be demoralising. Their irregularity and uncertainty would debar them from any place in any attempt at a financial system; they would lead to insistent begging, if not blackmail by which our Minister's position would be made unenviable and the standard of our relations would be lowered and our money might be frittered away or go to support objects against our interests.

4. *Cash gift once in a way on some very special occasion but not as an institution.*—Given the proper occasion (e.g., another tribal rising) when the Amir was obviously hard pressed and some signal sign of our support might help to stabilise him it is conceivable that a sum of money might prove the best form that our assistance should take. Such occasions would however necessarily be few and far between. The conclusion we have arrived at is that while recognising the possible advantages of varying a subsidy in kind by a single cash present on some extraordinary occasion we remain definitely opposed to the principle of a cash subsidy. But we are prepared, if circumstances really force us to it, to consider in the last resort a definitely annual subsidy fixed without consideration of relation to the Russian subsidy."¹

(3) The possibility of a treaty of Neutrality has not been further considered.

(4) (a) No further steps have been taken for the establishment of British Consulates in the North. Sir Richard Maconachie considered in 1931 that the possibility was remote.²

(b) The Air Council are still anxious for the right to appoint an Air Attaché at Kabul, but it seems unlikely that such a right can be obtained unless and until an Air Service between India and Kabul is started.³

(c) The revision of Schedule II to the existing Treaty, or its abolition as contemplated in 1923⁴, is still desirable.

In practice the British Legation, Kabul had been allowed to have with them more than the 35 persons prescribed in Schedule II (i) of the Treaty. The Legation had also been allowed more land than is prescribed in the Schedule. His Majesty's Government tried to make a written assurance of these facilities a condition of the re-affirming of the Treaty, but, owing to

¹ Telegram to I.O., London, No. 333-S., dated 15th February 1928 (A.S. XXIII, 39).

² Kabul Despatch No. 29, dated 10th March 1931 (A.S. XXXVIII, 208).

³ (Para. 1236.)

⁴ Afghan Précis (1927), para. 691.

the outbreak of the 1930 Disturbances in the Frontier Province and the necessity of getting the Minister to Kabul quickly, they were unable to do so.¹ The Afghan Minister in London gave a verbal assurance that previous facilities would be continued, and after considerable delay confirmed it in writing on 12th June 1930.² The same promise was confirmed in Kabul by an exchange of notes in October of the same year.³ In spite of the assurance given by the Afghan Minister in London, the Afghan Foreign Office, Kabul, had again made themselves unpleasant over the issue of visas for more than 35 persons in July.⁴

The wording of the assurances given in London and confirmed in Kabul is as follows :—

Facilities accorded to the British Legation, Kabul.

- “(1) The Afghan Government neither has nor will have any objection to the land over and above the area provided for in the Anglo-Afghan Treaty, purchased by Sir Francis Humphrys, His Britannic Majesty’s Minister in Kabul during the reign of Amanullah Khan, for the building of the British Legation.
- (2) The Government of His Majesty Muhammad Nadir Shah also agree as a temporary measure to the facilities temporarily afforded by the Government of Amanullah Khan with respect to the running of the Legation lorry as a diplomatic courier, until they have an opportunity to give effect to their future proposals.
- (3) With regard to the personnel of the British Legation in excess of the numbers mentioned in the Treaty, the Government of His Majesty Muhammad Nadir Shah are prepared (although no document to this effect exists in the Foreign Office of His Majesty Muhammad Nadir Shah’s Government nor is there any record of permission having been accorded for the employment of 16 Europeans and 110 Indians) to grant the facilities asked for provided a list is furnished showing the numbers of Europeans and Indians employed by the Legation and their functions.”⁵

The facilities accorded by His Majesty’s Government to the Afghan Government, which His Majesty’s Government would continue so long as these facilities were accorded to the British Legation, Kabul, were at the same time recorded as ‘the concession of one hundred free telegraphic groups weekly to the Afghan Government and Afghan Minister in London, and the appointment of Afghan Visa Officials at Peshawar and Quetta’⁶. To these have since been added permission for the Afghan Trade Agent, Quetta, to live and work at Chaman.

5. Exclusion of Russian Consulates from the South.—On this point the Secretary of State’s final instructions over-rode the Government of India’s wishes. The Government of India had wished for, at the very least, a written warning to the Afghan Government that they would regard the establishment of Russian Consulates close to the Indian Frontier as an unfriendly behaviour on the Afghan Government’s part.⁷ The Home Government decided that nothing of the sort on paper would be permissible and that the oral arguments incorporated in the instructions to Sir Francis Humphrys must suffice.⁸

¹ Telegram from Min., Kabul, to F.O., London, No. 10, dated 27th April 1930 (A.S. XXXI, 137).

² Letter No. P-4199/1930, dated 30th June 1930, from F.O., London, to Min., Kabul (A.S. XXXIII, 133).

³ Despatch from Min. Kabul, to F.O., London, No. 81, dated 24th October 1930 (A.S. XXXVI, 105).

⁴ Telegram to Bompel, Bombay, No. 1063-S., dated 25th May 1928 (A.S. XXXIII, 236).

⁵ Letter (Translation) from the Afghan Foreign Minister, Kabul, to the Minister, Kabul, dated 21st Mizan 1309 (14th October 1930) (A. S. XXXVI, Encl. III to S. No. 105).

⁶ Letter from Min., Kabul, to the Afghan Foreign Minister, Kabul, No. 70-P., dated 16th October 1930 (A.S. XXXVI, Encl. IV to S. No. 105).

⁷ Telegram to I.O., London, No. 355-S. dated 16th February 1928 (A.S. XXIII, 40)

and

Telegram to I.O., London, No. 609-S., dated 20th March 1928 (A.S. XXIII, 97).

⁸ Telegram from I.O., London, No. 606, dated 2nd March 1928 (A.S. XXIII, 58)

(6) and (7) "Free Transit" has been granted in principle, though the procedure necessary for giving effect to the concession has not yet been worked out. When this is done, Articles VII and IX of the Treaty will have to be altered.

The concession was granted without demanding any *quid pro quo*.

(8) The Afghan Trade Agent at Quetta is now allowed to live and work at Chaman¹, but no Afghan Consul at Peshawar has yet been allowed.

The Afghan Government has several times raised the question of the appointment of more Trade Agents, making no secret of the fact that they are required for the prevention of smuggling into Afghanistan. The question has been shelved for the present.²

(9), (10), (11) and (12). There is no indication on the files of any change in British policy on any of the matters mentioned in these paragraphs of the instructions.

¹ Endorsement from Min., Kabul, No. 112, dated 27th December 1930 (S. No. 50, File 74-F/30).

² Para. 1304.

CHAPTER XXVI.

THE BRITISH LEGATION IN KABUL AND QUESTIONS OF
DIPLOMATIC PRIVILEGE.

1341. **The Minister.**—Sir Francis Humphrys vacated his appointment after the withdrawal of the Mission in the spring of 1929. He was succeeded by Mr. (now Sir Richard) Maconachie who was appointed to the post in the winter of 1929, shortly after the resumption of diplomatic relations. He arrived in Kabul with his staff on the 11th May 1930¹. On crossing the frontier on May 9th a guard of honour was provided from the Landi Kotal Brigade, and a salute was fired. Similar courtesies were accorded on the Afghan side of the frontier.

In March 1935 Sir Richard Maconachie was succeeded by Major Fraser-Tytler who was given the local rank of Lieutenant-Colonel on appointment. He arrived in Kabul at the end of March, having been accorded courtesies similar to those mentioned above on crossing the frontier.

1342. **Staff.**—The gazetted staff of the Legation remains unaltered. Proposals for the appointment of a Commercial Attaché were made in 1935², but had not matured by the end of the period under report. The increase in the work of the Legation due to the development of the country in the past six years has however led to an increase in the Chancery staff and the addition of an assistant in the Oriental Office.

1343. **Escort.**—The escort was given up on the return of the Mission in 1930, and their place was taken by a number of unarmed mounted orderlies who are employed to carry the daily post, to accompany officers when riding and on other miscellaneous duties. No arms, other than sporting weapons and revolvers are now kept in the Legation.

1344. **Ladies.**—Ladies did not accompany the Mission on its return in May 1930. In the spring of 1932 however the Minister considered that conditions were sufficiently stable to permit of their returning to Kabul, and his recommendations were accepted³.

1345. **Afghan decorations.**—In October 1932 Major Fraser-Tytler who had been Charge d'Affaires during the previous seven months was presented with the Order of Astor by King Nadir Shah at a farewell audience. He was granted 'restricted permission' to wear it, but the Minister on return to Kabul was instructed to inform the Afghan Government that members of His Majesty's diplomatic missions could no longer be given restricted permission to wear foreign decorations conferred on them on final retirement or on transfer⁴.

SOCIAL RELATIONS WITH OTHER MISSIONS.

1346. **The Russian Embassy.**—Relations between His Majesty's Mission and the Russian Embassy remained formally polite until 1933, when, possibly under instructions from Moscow, the attitude of the latter became 'distinctly—and rather suddenly—more cordial'⁵. This attitude was reciprocated, and in 1936 to some degree enhanced by the arrival of the new Ambassador Monsieur Skvirsky and by the tension existing between the Soviet and German, Italian and Japanese Governments.

POSITION OF THE LEGATION UNDER THE TREATY AND
QUESTIONS OF DIPLOMATIC PRIVILEGE.

1347. Sir Richard Maconachie's Précis mentions⁶ that the Afghan Government in 1927 raised a number of questions relating to diplomatic privileges.

¹ Kabul despatch 5 of 1930 (A. S. XXXII), S. No. (1).

² Despatch from F. O., London, to Min., Kabul, No. 23, dated 19th February 1936.

³ Telegram from F. O., London, to Min., Kabul, No. 21, dated 7th March 1931.

⁴ Semi-official letter from F. O., London, to Min., No. (T.-1593/1593/272), dated 10th February 1933.

⁵ Annual Report 1933, para. 211 (A. S. LII, 276).

⁶ Para. 675.

which Mr. Gould referred for decision. The replies of His Majesty's Government were embodied in a letter to the Afghan Foreign Minister¹ to which the Afghan Government replied.²

The purport of their reply was as follows :—

(a) The Afghan Government acknowledged the right of His Majesty's Legation to send mails by diplomatic courier in any form of conveyance desired. They also agreed that such conveyance should not be detained and inspected without good and lawful reason, provided that the couriers showed their credentials on crossing the border, and that only diplomatic mails were carried in the conveyance.

(b) Articles intended for the use of the Legation should be taken in the first instance to the Customs House in Kabul, pending the receipt of a clearance certificate.

(c) The right of the Legation Courier to diplomatic privilege was also admitted, but a distinction was drawn between ' *Courrier diplomatique* ' who was entitled to such privileges and a " *porteur du Courier* " who was not so entitled. It was also noted that should a Courier be of a nationality other than that of the country whose mail he was carrying, he should be in possession of his own national passport, and could only be treated as a " *Porteur du Courier* ". Diplomatic privilege would however be extended to the mails he was carrying.

(d) There was no objection to diplomatic Couriers driving the automobile carrying the mail.

Clause (b) above does not appear to have been enforced up to the time of the Revolution.

On the return of the Mission in 1930 diplomatic and other mails continued to be sent by Legation lorry in charge of a courier. This lorry also carried personnel, baggage and stores for the Legation, and the whole contents of the vehicle were treated by the Afghan authorities as under diplomatic privilege.

In October 1935 the Afghan Government issued a Courier Code the text of which is given as an Appendix to this Chapter.

His Majesty's Minister asked for instructions what attitude to adopt regarding certain articles of the Code. Enquiries made later from the Afghan Government showed that the meaning of Article 9 of the Code was that no one bag ought to exceed 15 kilos (33 lbs.) in weight. His Majesty's Minister anticipated no difficulty from this provision³.

With regard to the total number of bags to be sent by any one mail, since an excessive number gives a country the right to examine the bags if it so wishes⁴, it was decided that three mail bags should for the present be fixed as the maximum⁵. The British Legation thought, however, that six could probably be sent without objection.

In strict theory only official correspondence should be enclosed in a diplomatic bag, but by general usage the private mails of the staff and servants of a Legation are also included. The private mails of British nationals who are not members of the Legation Staff or Legation servants should not be included⁶. (This is the existing practice, save that the private mail of guests of members of the Legation is usually included).⁷

The distinction between (i) diplomatic and ordinary couriers, and (ii) diplomatic and official mails, was discussed with an official of the Afghan Foreign Office, whose opinions are given in despatch No. 94 from the Minister, Kabul, dated 11th July 1936⁸.

¹ Kabul despatch No. 82, dated 18th October 1927 (A. S. XXII, 196).

² Kabul despatch No. 5, dated 13th January 1928.

³ Despatch from Min., Kabul, to F. O., London, No. 94, dated 11th July 1936 (A. S. LX, 225).

⁴ Letter from I. O., London, No. P. Z.-1630/36, dated 30th April 1936 (A. S. LX, 70, para. 2).

⁵ Memo. from Counsellor, B. L., Kabul, No. 989, dated 29th August 1936 (A. S. LXI, 4).

⁶ Letter from I. O., London, No. P. Z.-1630/36, dated 30th April 1936 (A. S. LX, 70, para. 5).

⁷ Despatch from Min., Kabul, to F. O., London, No. 94, dated 11th July 1936 (A. S. LX, 225, para. 3).

⁸ *Ibid*, para. 6.

His Majesty's Government's final instructions had not been received by the time this volume was compiled. The present position is that not more than three bags are ordinarily sent by any one courier, that each bag is not to weigh more than 33 lbs., that the passes on each occasion are signed by an official deputed by the Government of the North-West Frontier Province,¹ that "official" mail is all classed as 'diplomatic'² and that the private mail of the Legation Staff and their guests is included in the diplomatic bag³.

It will be noticed that article 12 of this code would appear to give the Afghan authorities the right to open and examine all articles carried on the mail lorry other than the diplomatic and official mail bags. This right has however not hitherto been enforced.

1348. Treaty Relations.—As has been previously mentioned⁴ the resumption of diplomatic relations in 1929 was followed in 1930 by an exchange of notes reaffirming the validity of the Treaty of 1921. Mention was also made of "the continuance of those facilities in points of detail which were found necessary and allowed in practice by either of the Parties to the Treaty of 1921 in the time of the former King Amanullah Khan...."⁵ Oral assurances were also given by the Afghan Minister that 'the British Legation.... will enjoy all those facilities with regard to area, personnel, communications and other matters which previous British Missions enjoyed'.

The necessity for these assurances arose from the fact that the area occupied by the British Legation in Kabul, and the personnel employed therein, far exceeded the provisions of Schedule II, Articles (iii) (e) and (f) of the Treaty of 1921⁶. Permission to exceed these limits appears to have been granted informally by the *ex*-King and no question of returning to a more rigid interpretation of Schedule II has been raised since the Revolution.

1349. Passport questions.—Towards the end of 1936, objections were raised by the Ministry of Foreign Affairs in Kabul and the Afghan Minister in London to the passport of Mr. Parkes, the newly arrived Secretary of the Legation on the grounds that it was an Indian Empire passport and the holder's profession was shown as Indian Civil Service.

On a suggestion from the Foreign Office it was informally arranged that officers holding diplomatic posts in the Kabul Legation should be provided with British Foreign Office passports in which their profession was described as His Majesty's Diplomatic Service. All officers appointed in future to the Legation would have their previous passports cancelled and new passports made out as above and issued by the Legation before entering Afghanistan.

1350. Withdrawal of the Legation.—The circumstances leading up to the withdrawal of the Legation in February 1929 are given in paragraphs 796—798 to which reference may be made. The considerations which weighed with the Minister in advocating an early but not immediate withdrawal were as follows :—

"The following arguments appear to me to be against complete withdrawal of His Majesty's Legation : (1) If Legation goes, interests of British subjects will certainly suffer and there will be no one in Kabul to protect them ; (2) as Foreign Governments have been so slow in issuing orders to their representatives in Kabul and immediate British withdrawal would be accompanied only by French Legation and that only on condition that all French nationals were first evacuated ; (3) if we go Foreign community will be left in a deplorable condition. Even though this is largely due to their own lack of foresight the fact remains that they look to our Legation for everything ; (4) we shall to a large extent lose touch with rapid changes of situation ; (5) should other Legations remain on in Kabul the Soviet Embassy will certainly not leave and it will have many opportunities for

¹ Memo. to N. W. F. P., No. F.-30-F/36, dated 8th February 1936 (A. S. LIX, 157).

² Telegram from I. O., London, No. 475, dated 6th February 1936 (A. S. LIX, 152).

³ Despatch from Min., Kabul, to F. O., London, No. 94, dated 11th July 1936 (A. S. LX, 225, para. 3).

⁴ Para. 819.

⁵ A. S. XXXII, No. 209.

⁶ A. S. XI, 40.

making mischief; (6) solitary or nearly solitary withdrawal of this Legation would cause a feeling of resentment in Afghanistan against British nation and be likely to wound Afghan pride. This opportunity would be taken advantage of by a near rival to increase his influence and popularity. The following are the arguments in favour of early withdrawal: (a) Danger of a sudden debacle and of a general loot and massacre by an unrestrained mob from which even foreign diplomatic representatives would not be exempt. Whilst I admit such a risk does exist, I am optimist enough to believe H. M. Legation would survive such a debacle. (b) Increasingly embarrassing and undignified position of a diplomatic mission which is officially warned that it is unsafe to venture beyond Legation grounds and which at any time may be wooed simultaneously by 3 or 4 different candidates for the throne. Position is all the more bizarre since King, to whose court I am accredited, has fled from his capital and after a short abdication, pretends to reign in Kandahar while *de facto* ruler is an illiterate highwayman who is being daily threatened by another powerful claimant in Jalalabad.

After careful consideration of this difficult question there does not appear to be (gr. corrupt) but mainly for the reasons explained in (b) above, I recommend that I should be instructed to aim at arranging the complete withdrawal of His Majesty's Legation by a date which should not be later than first week in March unless in meantime present position had radically changed and establishment of a settled Government throughout country was clearly in sight".¹

His Majesty's Government while ready to be guided by and to act on the Minister's advice noted that:—

“The paramount consideration of His Majesty's Government is safety of Minister and members of Mission. Inconveniences which may follow on withdrawal of Mission if other Missions remain and survive whilst we are not represented, is fully recognised by His Majesty's Government, but whilst desire of all Governments must be presumed to be the same in not risking unduly the safety of their personnel yet an attack on our Mission carries far graver consequences for us than a similar attack on any other Mission does for any other country except perhaps the Russians.

Our course must therefore be decided irrespective of action of other countries, but it seems probable that if other missions only realise at last moment that departure of British Mission is fixed, they will place both you and us in an intolerable position by requesting that before air facilities cease their missions, etc., may be withdrawn thus obliging us to refuse their request and to detain you at Kabul longer than we think safe or to leave them to their fate.

* * * * *

His Majesty's Government appreciate force of argument for retaining as long as possible our Legation at Kabul but consider that (gr. undec.) withdrawal has become inevitable in view of improbability of early establishment of settled Government and for reasons stated above that it should take place as soon as appears feasible to you".²

The withdrawal of the Legation was effected on February 25th, 1929, by which date all British and Foreign subjects who wished to leave Kabul had been evacuated by air.

¹ Telegram from Min., Kabul, to F. O., London, No. 129, dated 1st February 1929 (A. S. XXVII, 3).

² Telegram from F. O., London, to Min., Kabul, No. 43, dated 9th February 1929 (A. S. XXVII, 142).

APPENDIX TO CHAPTER XXVI.

A copy of the Afghan Courier Code was forwarded to His Majesty's Government as an enclosure to Kabul despatch No. 147, dated 27th December 1935¹.

The text is as follows :—

- “ 1. There are two classes of couriers, *i.e.*, Diplomatic couriers and Ordinary couriers.

Diplomatic couriers should be nationals of the Government sending diplomatic mail bags and should hold diplomatic passports of that Government.

Ordinary couriers do not hold diplomatic passports. They travel on national passports only and carry the mail of a country.

2. Diplomatic couriers carry diplomatic mail bags. Diplomatic mails consists of despatches sent by a Ministry for Foreign Affairs to the diplomatic representatives under that Ministry or despatches sent by a Mission to the Ministry for Foreign Affairs or to a Mission of the same Government in a third country.
3. Ordinary couriers carry official mails. Official mails are mails which are addressed by a Ministry for Foreign Affairs or by Departments connected with a Ministry for Foreign Affairs of one Government to their recognised officials appointed to posts in foreign countries. A bag containing official mails is safeguarded and exempted in accordance with agreements, treaties and reciprocal arrangements provided it does not exceed fifteen kilogrammes in weight. Should an ordinary courier carry a diplomatic mail bag he must be in the possession of a special courier-document (*laissez passer*) to be issued by the sender of that mail.
4. All couriers must be in possession of an official pass in addition to a national or diplomatic passport. The official pass is a pass in which the sender should enumerate the number and the weight of the mail bag and the courier's route. An official pass for a bag containing official mails may be issued by all despatching authorities under the direction of a Ministry for Foreign Affairs and by a Ministry for Foreign Affairs. But a pass for a diplomatic mail bag may only be issued by a Ministry for Foreign Affairs or a Mission. Afghan representatives besides granting ordinary or diplomatic visas on the courier's national or diplomatic passport are required to write “ examined ” on both sorts of foreign couriers' official passes. Moreover, the address of the sender, the addressee and the name of the courier must also be written on all official and diplomatic mail bags.
5. The Ministry for Foreign Affairs in Afghanistan and Afghan diplomatic representatives and the Afghan Consulate General abroad will give visas (permits) on the diplomatic passports of the diplomatic couriers of foreign powers. But the competent visa officials will give ordinary visas on the national passports of ordinary couriers. But should an ordinary courier be carrying diplomatic mails a special courier's visa will be granted on the courier's special pass issued by the sender of the diplomatic mail bag. Also on the official pass mentioned in Article 4 above the word “ examined ” will be written by Afghan officials.
6. On arrival and departure all couriers are required to show the official passes and the mail bags they are carrying to the customs officials. The customs officials are required to write the word “ examined ” on the said passes.

¹ Despatch from Min., Kabul, to F. O., London, No. 147, dated 27th December 1935 (A. S. LIX, 97).

7. One courier may carry a number of official and diplomatic mail bags of one Government or of several Governments provided that each outgoing mail bag is separate and has the address of the sender and of the addressee written on it and provided that the courier has a pass for each mail bag in accordance with Article 4 above, and also that the weight of each bag does not exceed fifteen kilogrammes.

NOTE.—Reciprocal treatment will be accorded to those countries which only allow bags of a less weight than the weight fixed above.

8. Besides despatches, official documents and Government correspondence nothing whatsoever is to be carried in diplomatic and official mails.
9. In the event of the fixed weight of fifteen kilogrammes being insufficient to meet the requirements of foreign powers with diplomatic representatives in Kabul, the Ministry for Foreign Affairs is empowered to make special arrangements with any one of those powers in regard to the weight of the mail carried by couriers, provided that these arrangements are on a reciprocal basis and that the maximum weight of the mail may not exceed twenty kilogrammes.
10. In regard to incoming mail bags in charge of couriers, if it comes to the notice of frontier customs officials of the Afghan Government that the regulations of this code have not been observed these mail bags must be sealed by the frontier customs officials and sent to Kabul where they will be opened in the customs house in the presence of a representative of the Ministry for Foreign Affairs and a representative of the Mission concerned. But if a courier on his arrival at the frontier demands to be permitted to go back from the frontier immediately he will be sent away together with the bags from the frontier at which he has arrived. Similarly bags sent by Foreign Representatives in Afghanistan will not be allowed to be taken across the frontier should they not be in conformity with these regulations.

In the above mentioned cases a process verbal must be drawn up in duplicate and signed by the customs officials, a representative of the local government and the courier. One copy of this process verbal should immediately be sent to the Ministry for Foreign Affairs.

11. Afghan subjects may not in any circumstances act as diplomatic couriers of foreign countries nor carry the mails of foreign countries in Afghanistan.
12. Diplomatic and official mail bags despatched and received in accordance with the regulations mentioned above will not be opened at the time of their arrival at and departure from the frontiers of Afghanistan, nor examined by Government officials, but other articles being carried by any class of courier will be opened and examined.

NOTE.—Any articles of a recognised official who holds a diplomatic passport and who has an official appointment in any country for which he is also acting as a courier will be subject to the provisions of the customs code.

13. Whenever a diplomatic or an ordinary courier carries articles for his own personal use they will, after their examination by the customs departments, be dealt with according to the customs codes.
14. Diplomatic couriers who are despatched in accordance with the above conditions will be protected by the civil and military officials of the Afghan Government and when necessity demands Afghan officials will provide a guard for the mail being carried.

15. A visa on the national or diplomatic passport of a courier is valid for a period of one year with effect from the day of its issue, provided that at all arrivals and departures it is shown to the frontier official.
16. The customs officials whether at the frontiers or on the aerodromes are responsible that action is taken in accordance with this code. As at certain places there are no customs officials frontier officials at the frontiers and the officers in charge of aerodromes on the aerodromes will similarly be responsible.
17. This code will come into force three months after the date of its publication in the press.

It is hereby ordered that this code may be incorporated in the statutes of the Government and that it may be brought into force and acted upon accordingly ”.

Seal of His Majesty.

Dated the 10th Sartan, 1314 (2nd July, 1935).

APPENDIX I.

[*Translation.*]

TREATY.

PREAMBLE.

The British Government and the Government of Afghanistan with a view to the establishment of neighbourly relations between them have agreed to the Articles written hereunder whereto the undersigned duly authorised to that effect have set their seals :—

ARTICLE I.

The British Government and the Government of Afghanistan mutually certify and respect each with regard to the other all rights of internal and external independence.

ARTICLE II.

The two High Contracting Parties mutually accept the Indo-Afghan Frontier as accepted by the Afghan Government under Article V of the treaty concluded at Rawalpindi on the 8th August 1919, corresponding to the 11th Ziqada, 1337 Hijra, and also the boundary west of the Khyber laid down by the British Commission in the months of August and September 1919, pursuant to the said Article, and shown on the map attached to this treaty by a black chain line ; subject only to the realignment set forth in Schedule I annexed which has been agreed upon in order to include within the boundaries of Afghanistan the place known as Tor Kham, and the whole bed of the Kabul river between Shilman Khwala Banda and Palosai and which is shown on the said map by a red chain line. The British Government agrees that the Afghan authorities shall be permitted to draw water in reasonable quantities through a pipe which shall be provided by the British Government from Landi Khana for the use of Afghan subjects at Tor Kham, and the Government of Afghanistan agrees that British officers and tribesmen living on the British side of the boundary shall be permitted without let or hindrance to use the aforesaid portion of the Kabul river for purposes of navigation and that all existing rights of irrigation from the aforesaid portion of the river shall be continued to British subjects.

ARTICLE III.

The British Government agrees that a Minister from His Majesty the Amir of Afghanistan shall be received at the Royal Court of London like the Envoys of all other Powers and to permit the establishment of an Afghan Legation in London, and the Government of Afghanistan likewise agrees to receive in Kabul a Minister from His Britannic Majesty the Emperor of India and to permit the establishment of a British Legation at Kabul.

Each party shall have the right of appointing a Military Attaché to its Legation.

ARTICLE IV.

The Government of Afghanistan agrees to the establishment of British Consulates at Kandahar and Jalalabad, and the British Government agrees to the establishment of an Afghan Consul-General at the headquarters of the Government of India and three Afghan Consulates at Calcutta, Karachi and Bombay. In the event of the Afghan Government desiring at any time to appoint Consular officers in any British territories other than India, a separate agreement shall be drawn up to provide for such appointments, if they are approved by the British Government.

ARTICLE V.

The two High Contracting Parties mutually guarantee the personal safety and honourable treatment each of the representatives of the other, whether Minister, Consul-General or Consuls, within their own boundaries, and they agree that the said representatives shall be subject in the discharge of their duties to the provisions set forth in the second Schedule annexed to this treaty. The British Government further agrees that the Minister, Consul-General and Consuls of Afghanistan shall within the territorial limits within which they are permitted to reside or to exercise their functions, notwithstanding the provisions of the said Schedule, receive and enjoy any rights or privileges which are or may hereafter be granted to or enjoyed by the Minister, Consul-General or Consuls of any other Government in the countries in which the places of residence of the said Minister, Consul-General and Consuls of Afghanistan are fixed ; and the Government of Afghanistan likewise agrees that the Minister and Consuls of Great Britain shall within the territorial limits within which they are permitted to reside or to exercise their functions, notwithstanding the provisions of the said Schedule, receive and enjoy any rights or privileges which are or may hereafter be granted to or enjoyed by the Minister or Consuls of any other Government in the countries in which the places of residence of the said Minister and Consuls of Great Britain are fixed.

ARTICLE VI.

As it is for the benefit of the British Government and the Government of Afghanistan that the Government of Afghanistan shall be strong and prosperous, the British Government agrees that, whatever quantity of material is required for the strength and welfare of Afghanistan, such as all kinds of factory machinery, engines and materials and instruments for telegraph, telephones, etc., which Afghanistan may be able to buy from Britain or the British dominions or from other countries of the world, shall ordinarily be imported without let or hindrance by Afghanistan into its own territories from the ports of the British Isles and British India. Similarly the Government of Afghanistan agrees that every kind of goods, the export of which is not against the internal law of the Government of Afghanistan, and which may in the judgment of the Government of Afghanistan be in excess of the internal needs and requirements of Afghanistan, and is required by the British Government, can be purchased and exported to India with the permission of the Government of Afghanistan. With regard to arms and munitions, the British Government agrees that, as long as it is assured that the intentions of the Government of Afghanistan are friendly, and that there is no immediate danger to India from such importation in Afghanistan, permission shall be given without let or hindrance for such importation. If, however, the Arms Traffic Convention is hereafter ratified by the Great Powers of the world and comes into force, the right of importation of arms and munitions by the Afghan Government shall be subject to the proviso that the Afghan Government shall first have signed the Arms Traffic Convention, and that such importation shall only be made in accordance with the provisions of that Convention. Should the Arms Traffic Convention not be ratified or lapse, the Government of Afghanistan, subject to the foregoing assurance, can from time to time import into its own territory the arms and munitions mentioned above through the ports of the British Isles and British India.

ARTICLE VII.

No Customs duties shall be levied at British Indian ports on goods imported under the provisions of Articles VI on behalf of the Government of Afghanistan, for immediate transport to Afghanistan, provided that a certificate, signed by such Afghan authority or representative as may from time to time be determined by the two Governments, shall be presented at the time of importation to the Chief Customs Officer at the port of import, setting forth that the goods in question are the property of the Government of Afghanistan and are being sent under its orders to Afghanistan, and showing the description, number and value of the goods in respect of which exemption is claimed; provided, secondly, that the goods are required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade, and provided, thirdly, that the goods are, unless of a clearly distinguishable nature, transported through India in sealed packages, which shall not be opened or sub-divided before their export from India.

And also the British Government agrees to the grant, in respect of all trade goods imported into India at British ports for re-export to Afghanistan and exported to Afghanistan by routes to be agreed upon between the two Governments, of a rebate at the time and place of export of the full amount of Customs duty levied upon such goods, provided that such goods shall be transported through India in sealed packages, which shall not be opened or subdivided before their export from India.

And also the British Government declares that it has no present intention of levying Customs duty on goods or live stock of Afghan origin or manufacture, imported by land or by river into India or exported from Afghanistan to other countries of the world through India, British and the import of which into India is not prohibited by law. In the event, however, of the Government deciding in the future to levy Customs duties on goods and livestock imported into India by land or by river from neighbouring States it will, if necessary, levy such duties on imports from Afghanistan; but in that event it agrees that it will not levy higher duties on imports from Afghanistan than those levied on imports from such neighbouring States. Nothing in this Article shall prevent the levy on imports from Afghanistan of the present Khyber tolls and of octroi in any town of India in which octroi is or may be hereafter levied, provided that there shall be no enhancement over the present rate of the Khyber tolls.

ARTICLE VIII.

The British Government agrees to the establishment of trade agents by the Afghan Government at Peshawar, Quetta and Parachinar, provided that the personnel and the property of the said agencies shall be subject to the operations of all British laws and orders and to the jurisdiction of British Courts; and that they shall not be recognised by the British authorities as having any official or special privileged position.

ARTICLE IX.

The trade goods coming to (imported to) Afghanistan under the provisions of Article VII from Europe, etc., can be opened at the railway terminuses at Jamrud, in the Kurram, and at Chaman, for packing and arranging to suit the capacity of baggage animals without this being the cause of re-imposition of Customs duties; and the carrying out of this will be arranged by the trade representatives mentioned in Article XII.

ARTICLE X.

The two High Contracting Parties agree to afford facilities of every description for the exchange of postal matter between their two countries, provided that neither shall be authorised to establish Post Offices within the territory of the other. In order to give effect to this Article, a separate Postal Convention shall be concluded, for the preparation of which such number of special officers as the Afghan Government may appoint shall meet the officers of the British Government and consult with them.

ARTICLE XI.

The two High Contracting Parties having mutually satisfied themselves each regarding the goodwill of the other, and especially regarding their benevolent intentions towards the tribes residing close to their respective boundaries, hereby undertake each to inform the other in future of any military operations of major importance, which may appear necessary for the maintenance of order among the frontier tribes residing within their respective spheres, before the commencement of such operations.

ARTICLE XII.

The two High Contracting Parties agree that representatives of the Government of Afghanistan and of the British Government shall be appointed to discuss the conclusion of a Trade Convention and the convention shall in the first place be regarding the measures (necessary) for carrying out the purposes mentioned in Article IX of this treaty. Secondly, (they) shall arrange regarding commercial matters not now mentioned in this treaty, which may appear desirable for the benefit of the two Governments. The trade relations between the two Governments shall continue until the Trade Convention mentioned above comes into force.

ARTICLE XIII

The two High Contracting Parties agree that the first and second schedules attached to the treaty shall have the same binding force as the Articles contained in this treaty.

ARTICLE XIV.

The provisions of this treaty shall come into force from the date of its signature, and shall remain in force for three years from that date. In case neither of the High Contracting Parties should have notified, twelve months before the expiration of the said three years, the intention to terminate it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it. This treaty shall come into force after the signatures of the Missions of the two Parties, and the two ratified copies of this shall be exchanged in Kabul within 2½ months after the signatures.

(Sd.) MAHMUD TARZI,

*Chief of the Delegation of the Afghan
Government for the conclusion of the Treaty.*

(Sd.) HENRY R. C. DOBBS,

*Envoy Extraordinary and Chief of the
British Mission to Kabul.*

*Tuesday, 30th Aqrab 1300 Hijra Shamsi
(corresponding to 22nd November 1921.)*

*This twenty-second day of November
one thousand nine hundred and
twenty-one.*

SCHEDULE I.

(Referred to in Article II.)

In the nulla-bed running from Landi Khana to Painsa Khak Post, the Afghan frontier has been advanced approximately 700 yards, and the Tor Kham ridge, including Shamsa Kandao and Shamsa Kandao Sar, is comprised in Afghan territory. Further, the Afghan frontier has been advanced between the point where the present boundary joins the Kabul river and Palosai from the centre of the river to the right bank.

SCHEDULE II.

Legations and Consulates.

(a) The Legations, Consulate-General and Consulates of the two High Contracting Parties shall at no time be used as places of refuge for political or ordinary offenders or as places of assembly for the furtherance of seditious or criminal movements or as magazines of arms.

(b) The Minister of His Britannic Majesty at the Court of Kabul shall, together with his family, Secretaries, Assistants, Attachés and any of his menial or domestic servants, or his couriers who are British subjects, be exempt from the civil jurisdiction of the Afghan Government, provided that he shall furnish from time to time to the Afghan Government a list of

persons in respect of whom such exemption is claimed, and, under a like proviso, the Minister of the Amir to the Royal Court of London to which all the Ambassadors of States, are accredited shall, together with his family, Secretaries, Assistants, Attachés and any of his menial or domestic servants or his couriers who are Afghan subjects, be exempt from the civil jurisdiction of Great Britain. If an offence or crime is committed by an Afghan subject against the British Minister, or the persons above-mentioned who are attached to the British Legation, the case shall be tried according to the local law by the Courts of Afghanistan within whose jurisdiction the offence is committed, and the same procedure shall be observed *vice versa* with regard to offences committed in England by British subjects against the Afghan Minister, or other persons above-mentioned attached to the Afghan Legation.

(c) (i) A Consul-General, Consuls and members of their staffs and households, who are subjects of the State in which they are employed, shall remain subject in all respects to the jurisdiction, laws and regulations of such State.

(ii) A Consul-General, Consuls and members of their staffs and households other than subjects of the State in which they are employed shall be subject to the jurisdiction of the Courts of such State in respect of any criminal offence committed against the Government or subjects of such State, provided that no Consul-General, Consul or member of their staff or household shall suffer any punishment other than fine; provided also that both Governments retain always the right to demand recall from their dominions of any Consul-General, Consul, or member of their staff or household.

(iii) A Consul-General, Consuls and members of their staffs and households other than subjects of the State in which they are employed shall be subject to the jurisdiction of the Courts of the said State in respect of any civil cause of action arising in the territory of the said State, provided that they shall enjoy the customary facilities for the performance of their duties.

(iv) The Consul-General of Afghanistan and Consuls shall have a right to defend the interests of themselves or any members of their staffs and households who are subjects of their own Governments, in any Court through pleaders or by the presence of one of the Consulate officials, with due regard to local procedure and laws.

(d) The Ministers, Consul-General and Consuls of the two High Contracting Parties and the members of their staffs and households shall not take any steps or commit any acts injurious to the interests of the Government of the country to which they are accredited.

(e) The Ministers, Consul-General and Consuls of the two Governments in either country shall be permitted to purchase or hire on behalf of their Governments residences for themselves and their staff and servants, or sites sufficient and suitable for the erection of such residence and grounds of a convenient size attached, and the respective Governments shall give all possible assistance towards such purchase or hire; provided that the Government of the country to which the Ministers or Consuls are accredited shall, in the event of an Embassy or Consulate being permanently withdrawn, have the right to acquire such residences or lands at a price to be mutually agreed on; and provided that the site purchased or hired shall not exceed twenty *jaribs* in area.

Note—Each *jarib* = 60 × 60 yards, English = 3,600 square yards.

(f) The Ministers, Consul-General and Consuls of the two Governments shall not acquire any immoveable property in the country to which they are accredited without the permission of the Government of the said country.

(g) Neither of the two High Contracting Parties shall found a mosque, church or temple for the use of the public inside any of its Legations or Consulates, nor shall the Ministers, Consul-General or Consuls of either Government or their Secretaries or members of their staffs and households engage, in any political agitation or movement within the country to which they are accredited or in which they are residing.

(h) The Ministers, Consul-General and Consuls of the two High Contracting Parties shall not grant naturalisation or passports or certificates of nationality or other documents of identity to the subjects of the country in which they are employed in such capacity.

(i) The Ministers of the two High Contracting Parties besides their own wives and children, may have with them not more than 35 persons, and a Consul General and Consuls, besides their own wives and children, not more than 20 persons. If it becomes necessary to employ in addition subjects of the Government of the country to which they are accredited, Ministers can employ not more than ten persons, and Consul-General and Consuls not more than five persons.

(j) The Ministers, Consul-General and Consuls of the two High Contracting Parties shall be at liberty to communicate freely with their own Government and with other official representatives of their Government in other countries by post, by telegraph, and by wireless telegraphy; in cypher or *en clair*, and to receive and despatch sealed bags by courier or post, subject to a limitation in the case of Ministers of six pounds per week, and in the case of a Consul-General and Consuls of four pounds per week, which shall be exempt from postal charges and examination and the safe transmission of which shall, in the case of bags sent by post, be guaranteed by the Postal Departments of the two Governments.

(k) Each of the two Governments shall exempt from the payment of Customs, or other duties all articles imported within its boundaries in reasonable quantities for the personal use of the Minister of the other Government or of his family, provided that a certificate is furnished by the Minister at the time of importation that the articles are intended for such personal use.

I

LETTER FROM BRITISH REPRESENTATIVE TO SARDAR-I-ALA, THE AFGHAN FOREIGN MINISTER.

After compliments.—With reference to the provisions contained in Article VI of the treaty concluded between the Government of Afghanistan and the British Government regarding the importation of arms and munitions into Afghanistan through India, I have the honour to inform and assure you that, although the British Government has in that article reserved to itself the right exercised by every nation to stop the transportation to a neighbouring country of arms and munitions in the event of its not being assured of the friendly intentions of that country, the British Government has no desire to make trifling incidents an excuse for the stoppage of such arms and munitions. It would only be in the event of the Government of Afghanistan showing plainly by its attitude that it had determined on an unfriendly and provocative course of policy towards Great Britain, contrary to the neighbourly treaty above-mentioned, that the latter State would exercise the right of stoppage. There is every ground for hope that such a contingency will never arise, in view of the friendly relations which are expected to spring from the treaty which has now been concluded.—*Usual ending.*

II.

LETTER, No. 112, FROM SARDAR-I-ALA, THE AFGHAN FOREIGN MINISTER, TO THE BRITISH REPRESENTATIVE AT KABUL.

After compliments.—Regarding the purchase of arms and munitions which the Government of Afghanistan buys for the protection of its rights and welfare, from the Governments of the world (and) imports to its own territory from the ports of Great Britain and British India, in accordance with Article VI of the treaty between the two great Governments, I, in order to show the sincere friendship which my Government has with your Government, promise that Afghanistan shall, from time to time before the importation of the arms and munitions at British ports, furnish a detailed list of those to the British Minister accredited to the Court of my sacred and great Government, so that the British Government having known and acquainted itself with the list and the number of imported articles should, in accordance with Article VI of the treaty between the two Governments, afford the necessary facilities. *Usual ending.* Dated 29th Aqrab A. H. 1300.

III.

LETTER, No. 111, FROM SARDAR-I-ALA, THE AFGHAN FOREIGN MINISTER, TO THE BRITISH REPRESENTATIVE AT KABUL.

After compliments.—As in Article VII of the treaty (between) the two great Governments of Britain and Afghanistan your Government has with great sincerity granted a discriminating exemption from Customs duties on the goods required by my Government and on the trade goods transported to Afghanistan through the ports of Great Britain and British India and has not imposed Customs on goods produced and manufactured in Afghanistan, I therefore, also, in consideration of the friendship (between) the two Governments write that my Government will not give the opportunity of establishing a Consul-General or Consul or representative of the Russian Government at the positions and territories of Jalalabad, Ghazni and Kandahar which are contiguous to the frontiers of India. If the Consulates or representatives of the Government of Russia are allowed in the parts mentioned, the Government of Afghanistan shall not have the above-mentioned right of exemption. Of course the temporary association of the Russian Minister with His Majesty's move to Jalalabad in winter will be an exception.—*Usual ending.* Dated 30th Aqrab A. H. 1300.

IV.

LETTER FROM BRITISH REPRESENTATIVE TO SARDAR-I-ALA, THE AFGHAN FOREIGN MINISTER.

After compliments.—As the conditions of the frontier tribes of the two Governments are of interest to the Government of Afghanistan, I inform you that the British Government entertains feelings of goodwill towards all the frontier tribes and has every intention of treating them generously, provided they abstain from outrages against the inhabitants of India. I hope that this letter will cause you satisfaction.—*Usual ending.*

P. 3480/1930.

No. 7.

(N. 2970/56/97).

Foreign Office,

S. W. 1

30th May 1930.

Sir,

I received the Afghan Minister on May 6th for the purpose of exchanging notes re-affirming the validity of the Anglo-Afghan Treaty of 1921 and Trade Convention of 1932.

2. I began by asking His Highness the following formal question :—

“ I understand Your Highness is prepared to give your personal assurance that when the British Legation is re-established at Kabul it will enjoy all those facilities with regard to area, personnel, communications and other matters which previous British Missions enjoyed. Is this correct, and does Your Highness give this assurance ? ”

His Highness replied that this was correct and that he gave the necessary assurance :— he furthermore expressed his conviction that when you reached Kabul the British Legation would enjoy every manner of facility to an even greater extent than previously. I then explained that I proposed to send His Highness a letter, setting forth the terms of the assurance which he had just given, and that I hoped he would confirm this assurance by sending me a reply. His Highness undertook to do so.

3. The notes were then signed and exchanged. The text of my note and a translation of the Minister's note are enclosed herewith. A copy of the Persian text of the Minister's note is also enclosed.

4. After expressing his satisfaction at this exchange and at the prospect of your early departure for Kabul, His Highness repeated that the Afghan Government intended to do everything in their power to make things easy for the British Legation and hoped in return that “ if something could be done which was advantageous to the Afghan Government and not disadvantageous to His Majesty's Government, His Majesty's Government would do it ”. He subsequently reverted to this statement in conversation with a member of my Department, who had been present at the interview, and explained that it meant that the Afghan Government hoped that His Majesty's Government would now see their way to abolishing the deposit system for goods imported into Afghanistan through Indian territory. The matter was not only of importance to the Afghan Government, but of great urgency, in view of their lack of money. His Highness was told that if the Afghan Government had any proposals to make, they would undoubtedly receive sympathetic consideration from His Majesty's Government and the Government of India, who were of course primarily concerned.

5. A copy of this despatch is being sent by the India Office to the Government of India.

I am, with great truth and regard,

Sir,

Your obedient Servant,

(Sd.) H. J. SEYMOUR.

For the Secretary of State.

R. R. Maconachie, Esq., C.I.E.

etc., etc., etc.,

Kabul,

(Enclosure I).

P. 3480/1930.

(N. 2823/56/97).

Foreign Office,

S. W. I.

6th May 1930.

Your Highness,

We have agreed that it is desirable, in view of the recent accession to the Afghan Throne of His Majesty King Mohammad Nadir Shah, to reaffirm the validity of the Treaty concluded at Kabul on November 22nd, 1921, with the four letters annexed thereto, and the Trade Convention concluded on June 5th, 1923.

2. I accordingly have the honour to place on record that it is our understanding that these two Treaties continue to have full force and effect.

3. It is understood that the continuance of those facilities in points of detail which were found necessary and allowed in practice by either of the Parties to the Treaty of 1921 in the time of the former King, Amanullah Khan, shall form the subject of friendly arrangement in cases where such arrangement is necessary.

I have, etc.,

(Sd.) ARTHUR HENDERSON.

His Highness

General Shah Wali Khan, etc., etc., etc.,
London.

(Enclosure II)

P. 3480/1930.

(N. 2970/56/97.)

(Agreed Translation.)

Afghan Legation,
London,

6th May, 1930.

Sir,

I have received your note No. N.—2823/56/97, dated May 6th, 1930, stating that we have agreed that it is desirable, in view of the recent accession to the Afghan Throne of His Majesty King Mohammad Nadir Shah, to reaffirm the validity of the Treaty concluded at Kabul November 22nd, 1921, with the four Letters annexed thereto, and of the Trade Convention concluded on June 5th, 1923.

2. I have the honour, in reply, also to place on record that it is our understanding that these two Treaties continue to have full force and effect.

3. It is understood that the continuance of those facilities in points of detail which were found necessary and allowed in practice by either of the Parties to the Treaty of 1921 in the time of the former King, Amanullah Khan, shall form the subject of friendly arrangement in cases where such arrangement is necessary.

I have etc.,

(Sd.) SHAHWALI, etc.

The Right Honourable

Arthur Henderson, M.P.,
etc., etc., etc.,
London.

APPENDIX II.

ANGLO-AFGHAN TRADE CONVENTION.

Whereas in Article XII of the Anglo-Afghan Treaty executed on the ^{22nd November 1921}_{30th Aqrab 1300 Hijri} A. D. Shamsi, the High Contracting Parties agree that Representatives of the two Governments should be appointed to discuss the conclusion of a Trade Convention

- (a) to regulate the measures necessary for carrying out the purposes mentioned in Article IX of that Treaty, and
- (b) to arrange regarding commercial matters not mentioned in that Treaty, wherefore the two Governments have named as their Representatives :—

British.

Major John Aloysius Brett Aqa Ghulam Muhammad Khan, Minister of Commerce,
Mr. William Walker Nind Aqa Faiz Muhammad Khan, Assistant Foreign Secretary,

Afghan.

to consider and discuss the matters above-mentioned, and have also empowered them to consider and discuss commercial matters mentioned in Articles of the said Treaty other than Article IX and to conclude a Trade Convention covering all matters which they were so authorised to consider and discuss.

Now therefore, the aforesaid distinguished representatives, after meeting in the Capital City of Kabul and perusing and exchanging their credentials, have concluded the following Articles :—

ARTICLE I.

Goods transiting India for export to Afghanistan in respect of which the benefits of Article VI or VII of the Anglo-Afghan Treaty of November 1921 A. D. Aqrab 1300 Hijri Shamsi are claimed shall leave India by one or other of the following routes :—

- (1) Peshawar-Khyber-Torkham.
- (2) Thal-Parachinar-Peiwar.
- (3) Chaman-Kila-i-Jadid.

ARTICLE II.

The procedure with regard to the transit of Afghan State goods as defined in Article VII, paragraph (i) of the Anglo-Afghan Treaty in respect of which the benefit of that Article is claimed shall be that laid down in Appendix A to this Convention.

ARTICLE III.

The procedure with regard to Afghan trade goods in respect of which the benefits of Article VII, paragraph (ii) of the Anglo-Afghan Treaty is claimed shall be that laid down in Appendix B to this Convention.

ARTICLE IV.

The Afghan Government agrees to furnish to the British Minister at Kabul a reasonable number of copies of its Customs Tariff Schedule, and of all orders and notifications introducing any change in that Schedule, or in any other way affecting commerce between Afghanistan and any portion of the British Empire.

Similarly the British Government agrees to furnish to the Afghan Minister in London a reasonable number of copies of similar United Kingdom Tariff Schedules, orders and notifications, and to the Afghan Consul-General with the Government of India reasonable number of Indian Tariff Schedules, orders and notifications.

ARTICLE V.

This Convention shall be ratified and ratifications shall be exchanged at London within two months of its signature. It shall come into force immediately upon ratification and shall remain in force for the same periods as the Anglo-Afghan Treaty executed on the ^{22nd November} 30th Agrab 1300 1921, A. D.
Hijri Shamsi.

CONCLUSION.

These five Articles having been stipulated and agreed to in the manner and form preceding, the aforesaid Representatives have agreed to the present Convention, drawn up in two copies, in English and Persian, each of them signed and sealed in their respective languages, each of which shall be of equal force ; and have exchanged with each other the proper authenticated instrument.

Done at Kabul the fifth day of June 1923, A. D. (corresponding to the fifteenth Jauza 1302, Shamsi Hijri.....).

Signed J. A. Brett	.	.	.	Signed Ghulam Muhammad, Minister of Commerce.
Signed W. W. Nind	.	.	.	Signed Faiz Muhammad, Assistant Foreign Secretary.

APPENDIX A.

Rules for the exemption from Customs duty of goods imported on behalf of the Government of Afghanistan.

The following procedure shall be adopted in giving effect to the Customs concessions granted under Articles VI and VII of the Treaty between the British Government and the Government of Afghanistan in respect of exemption from payment of duty on goods imported at British Indian ports on behalf of the Government of Afghanistan for immediate transport to that country.

Rule 1.—Goods purporting to be the property of the Afghanistan State shall on arrival at the port of entry in India, be entered and cleared in the manner prescribed under the Sea Customs Act, but such goods shall be exempted from payment of the duty chargeable under the tariff on a production of a request in the attached Form A (in quadruplicate) signed by the Consul for Afghanistan or other agent of the Afghanistan Government, certifying that the goods are the property of the Government of Afghanistan, are required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade and are being sent to Afghanistan under the orders of that Government. The request shall include a description of the nature and quantity of the goods and their value and shall also specify by which of the three authorised routes the goods are intended to be transported, *viz.*—

- (1) Peshawar-Khyber-Torkham.
- (2) Thal-Parachinar-Peiwar.
- (3) Chaman-Kila-i-Jadid.

Rule 2.—In all cases in which free entry is allowed on the strength of such request, the goods shall be brought to the Custom House (or to any place specified by the Collector of Customs) for verification and shall, unless of clearly distinguishable nature, be sealed with the Customs Seal in the presence of a Custom House officer before transmission.

Rule 3.—The Collector of Customs shall then forward to the British Frontier Customs Officer concerned two copies, and to the Government of India, Commerce Department one copy of the prescribed Form A duly filled in by the Customs.

Rule 4.—The British Frontier Customs Officer, after examining the goods and being satisfied as to their identity, shall certify on one copy of the Form A sent to him that they have been transported to Afghanistan either in the same condition as when they left the port of entry or after being re-packed and re-sealed and shall return it to the Collector of Customs concerned. He shall forward the other copy to the British Minister at Kabul or such officer as the Minister may name in this behalf.

FORM A.

Consul for Afghanistan's Serial No. _____

Customs Serial No. _____

From _____ To _____

I have the honour to request that the undermentioned goods imported per S. S. _____ which arrived at _____ on _____ and which are being cleared by Messrs. _____ may be admitted without payment of duty. I certify that the goods are the property of the Government of Afghanistan, are required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade and are being sent to Afghanistan under orders of that Government *via* _____ (route). The goods will be presented before the Frontier Customs Officer or official named by him in this behalf for identification before crossing the border.

*Consul for Afghanistan (or
other duly authorised Agent).*

Dated _____

Serial No.	Marks and Nos.	No. and description of packages.	Dimensions of packages.	Contents.	Value.
					Rs. As.

To be filled in by Customs.

Import General Manifest No. _____

No. and date of Bill of Entry _____

Identified and all goods, except those of a clearly distinguishable nature, sealed in my presence.

Admit free.

Customs Examiner.

Collector of Customs.

CUSTOMS HOUSE :

Dated _____ 19 . }

Certified that the above-mentioned goods have been transported to Afghanistan in the same condition as when they left the port of entry.
after being re-packed and re-sealed.

Dated _____ 19 .

Frontier Customs Officer.

APPENDIX B.

Rules for the refund of Indian import duties on trade goods transmitting India to Afghanistan.

I.—PROCEDURE AT THE CUSTOM HOUSE.

Rule 1.—When goods are imported for re-export to Afghanistan, the importer or his agent shall, at the time of entering them at the Custom House—

- (a) declare that the goods are intended for such re-export ;
- (b) furnish, in quadruplicate, an invoice of the goods so declared in Form B, annexed specifying therein by which of the three authorised routes the goods are intended to be transported, viz. :—
 - (1) Peshawar-Khyber-Torkham,
 - (2) Thal-Parachinar-Peiwar,
 - (3) Chaman-Kila-i-Jadid ;
- (c) pay the duty chargeable under the tariff ;
- (d) state whether he wishes the refund to be paid at the Custom House or at the nearest Frontier Treasury.

Rule 2.—On compliance with the provisions of Rule 1, the goods shall be sealed with the Customs seal and delivered to the owner together with the original copy of the invoice duly checked and completed. At the same time the duplicate and triplicate copies of the invoice shall be forwarded by the Collector of Customs to the Frontier Customs Officer at railhead.

Rule 3.—In order to secure refund of the duty paid under Rule 1 (c) the importer or his agent must produce before the Collector of Customs or Officer in charge of the Frontier Treasury named by him under Rule 1 (d) the original invoice duly endorsed—

- (a) by the Frontier Customs Officer or Border Examiner to the effect that the goods have crossed the frontier in the presence of an Afghan Government official ;
- (b) by an Afghan Government official to the effect that the goods have been received for registration and levy of Afghan Customs duty.

Rule 4.—The details of the goods covered by such invoices shall be entered by the Collector of Customs in a separate Register to be maintained for the purpose.

II.—PROCEDURE AT THE FRONTIER (RAILHEAD).

Rule 5.—On receipt of the invoices from the Collector of Customs, the Frontier Customs Officer shall retain the duplicate and forward the triplicate copy to the Border Examiner.

Rule 6.—Goods which require repacking after arrival at railhead must be brought by the owner or his agent to one of the repacking depots established at Peshawar, Thal or Chaman, where the Frontier Customs Officer or his subordinate appointed for the purpose shall check them with the original copy of the invoice and compare the latter with the duplicate copy received from the port of entry. If the seals are intact and the goods correspond with the description in the invoice, the Frontier Customs Officer shall allow the goods to be re-packed and re-sealed under his supervision, shall endorse on each copy of the invoice details of any changes in the number or description of the packages involved by such re-packing, shall return the goods to the owner together with the original copies of the invoice so endorsed, and shall forward the duplicate copy to the Border Examiner after noting the repacking particulars in a Register to be maintained for the purpose. On receipt of the duplicate, the Border Examiner shall note the re-packing particulars on the reverse of the triplicate copy and return the duplicate.

III.—PROCEDURE AT THE FRONTIER (BORDER).

Rule 7.—Goods which do not require re-packing and goods which have been re-packed in accordance with Rule 6, must be presented for inspection, and examination if necessary at the time of crossing the Frontier, before the Border Examiner and the official appointed for this purpose by the Afghan Government. If on such inspection the seals affixed at the Custom House or re-packing depot are intact and the packages correspond with the particulars given in the original and triplicate copies of the invoice, the Border Examiner and the Afghan Government official shall sign the appropriate certificates printed on the face of each copy of the invoice. The original copy of the invoice shall be returned to the owner and the triplicate to the Frontier Customs Officer at railhead. The Frontier Customs Officer shall sign the export certificate on the face of the duplicate invoice and transmit (1) the duplicate copy to the Collector of Customs or the Treasury Officer as the case may be, and (2) the triplicate copy to the Secretary, British Legation, Kabul, or other officer named by the Minister at Kabul in this behalf.

Rule 8.—The Officer in charge of the Treasury concerned shall, before making payment of the refund, compare the original copy of the invoice produced by the owner with the duplicate copy received from the Frontier Customs Officer. After payment, he shall retain the original copy and transmit the duplicate to the Collector of Customs, with an endorsement to the effect that payment has been made.

FORM B.

No. _____ Dated _____ 19 _____ Invoice (in quadruplicate) (Original.)

Invoice of goods to be transmitted under Customs seal through British India to Afghanistan from _____ by _____
via _____ (route).

1	2	3	4	5	6	7	8	9	10
Marks and numbers on packages.	Number and description of packages.	Description of goods.	Weight or quantity.*	*Value for duty	Rate of duty.	Amount* of duty.	Number and date of bill of entry.	Gross weight of packages.	Attestation of British Officer identifying goods on arrival at
				Rs. AS. P.		Rs. AS. P.		Cwts. qrs. lb.	Certified that the goods mentioned herein have been duly identified, have passed the Frontier at— in their original condition in an altered condition as noted on reverse and have been handed over to an Afghan Government Official. <u>British Official.</u>
				Rs. AS. P.					Certified that the goods mentioned herein have been received for registration and levy of Afghan Customs Duty. <u>Afghan Government Official.</u>

*(To be entered in words as well as in figures.)

Certified that the above-mentioned packages have been identified by me _____ I/We do declare the contents of this invoice to be truly stated and request that the refund and sealed with the Customs seal under my supervision. _____ of duty may be paid at _____ Treasury.

Examiner, Custom House.

Custom House,

Assistant Collector of Customs,

Owner

_____ 19 .

Dated

Original Packages and marks.	Number of new packages.

Certified that the above goods have been re-packed and re-sealed in my presence.

Dated _____

Re-packing Dept.

Frontier Custom Officer.

APPENDIX III.

CONSTITUTION APPROVED BY KING NADIR SHAH.¹

Reference to
corresponding
articles of
Amanullah
Khan's Code.
2, 5.

In the name of Allah the most merciful—

Fundamental "Principles" of the Government of Afghanistan.

General Principles.

1. The faith of Afghanistan is the sacred faith of Islam, and the official religion and that of the population in general is the Hanafi religion. The King of Afghanistan should be a follower of this religion. Followers of other religions such as Hindus and Jews who live in Afghanistan, provided they do not infringe the ordinary rules of conduct and propriety, also enjoy protection.
1. 2. As the Afghan Government enjoys complete independence in the administration of its internal and external affairs, all places and parts of the Kingdom constitute a single entity under the command and the exalted direction of His Majesty the King, and no distinction is made between different parts of the Kingdom.
3. 3. Kabul City is the capital of Afghanistan, and all residents of the Kingdom are equal in the eyes of the Government. The residents of Kabul city have no special rights as compared with those of other cities and towns of the Afghan Kingdom.
4. *The official flag of Afghanistan is black, red and green, and bears in the centre an ear of wheat, a Mihrab and a pulpit.*

RIGHTS OF THE KING.

4. 5. In appreciation of the devotion shown and services rendered by His Majesty the Ghazi Muhammad Nadir Shah, Afghan, in obtaining the independence and deliverance of the land of Afghanistan, and the uprooting of oppression and despotism, the Afghan nation in general has recognised His Majesty as a fit and worthy King of his country and has accepted him as such with the greatest esteem and respect. His Majesty the King, at the time of his accession to the throne of independent Afghanistan, publicly undertook, in the presence of the representatives and gentry of Afghanistan, to carry on the administration in accordance with the dictates of the expounders of the sacred Shariat of the Holy Prophet (peace be upon him), and the Hanafi religion and the fundamental principles of the country and to regard the preservation of the independence of Afghanistan as one of his most important duties, to be true to his nation and country, and not to break the above-mentioned stipulations. The noble Afghan nation therefore agrees that the crown of Afghanistan will be transferred to the *family* of this King, who desires the progress of the country, and that succession to the throne will be in accordance with the selection of His Majesty and the people of Afghanistan.

NOTE.—By "*family*" is meant eldest male descendant and brother.

6. *The King of Afghanistan before his accession to the throne, shall make and sign the following declaration in the Chamber of the National Council, and in the presence of the members.*

"I swear by Almighty God and the sacred Qoran, knowing that God the Glorious is omnipresent and omniscient, to rule according to the Shariat of Muhammad (peace be upon him) and the fundamental rules of the country (and to strive), for the protection of the glorious religion of Islam, the independence of Afghanistan, and the rights of the nation, and for the defence, progress, and prosperity of the country, so help me God through the blessing of the sacred spiritual force of the Blessed Saints (the approval of God be upon them)."

7. 7. In Friday sermons the name of the King will be mentioned, and coin of the realm will bear his name, and other rights as follows will vest in the King :—

Bestowal of rank and office, award of honours, appointment of the Prime Minister, sanction of the appointment, transfers and dismissals of Ministers, assent to measures passed by the National Council, proclamation and enforcement of the same, protection and carrying out of the Shariat and civil laws, command of the military forces of Afghanistan in general, declaration of war and conclusion of peace and treaties generally, remission and reduction of punishments in general according to Shariat Law.

8. *An allotment for the expenses of the King should be included in the budget of the country.*

Reference to
corresponding
articles of
Amanullah
Khan's Code.

GENERAL RIGHTS OF AFGHAN SUBJECTS.

8. 9. All persons residing in the Kingdom of Afghanistan are called Afghan subjects without any distinction of creed and religion. Afghan nationality is acquired or lost in accordance with the Nationality laws.
- 9, 10. 10. All Afghan subjects although required to observe the injunctions and prohibitions of their Government in religious and political matters are free to enjoy all rights conferred by Shariat law.
10. 11. There is no interference with personal liberty. No one is imprisoned or punished without an order in accordance with the Shariat or the appropriate laws. The practice of slavery is forbidden in Afghanistan. No male or female may keep any person as a slave.
12. 12. Afghan subjects are free, within the limits of the appropriate regulations, in all matters relating to trade, industry and agriculture.
16. 13. All Afghan subjects have equal rights and duties under the Shariat law and the law of the State.
17. 14. Any Afghan subject, according to his ability and capacity, is taken into Government service as required.
19. 15. In Afghanistan the movable and immovable property of every one is protected. In the event of any immovable property being required by Government in the public interests the value of it will be paid to the owner according to Shariat Law and the special code concerned, before it is taken over.
20. 16. The residence of every Afghan subject is safe from every sort of interference. No official or other person may enter a private residence without an order under Shariat law or the law of the land.
- 22, 23. 17. *Confiscation of both movable and immovable property is forbidden, with the exception of that belonging to persons residing abroad making propaganda or intrigue against the Afghan Government.*
24. 18. Levies of money and forced labour are prohibited, except during time of war.
- 15, 68. 19. The rack and other kinds of torture are absolutely abolished. No punishment can be inflicted which is not provided for in the law of the land and the sacred Shariat Law.
14. 20. Primary education for the children (Atfal) of Afghan subjects is compulsory.
15. 21. In Afghanistan instruction in the knowledge of Islam is unrestricted. Every Afghan subject is permitted to impart Islamic religious instruction. Foreigners, however, with the exception of those engaged to teach arts, industries, and foreign languages, are not permitted to open and conduct schools in the kingdom of Afghanistan.
11. 22. The public schools in Afghanistan are under the supervision of the Government, so that the education and culture imparted by these institutions may, *without infringing the articles of the Islamic faith*, provide the benefits which accrue from the study of literature, art, and science. But there will be no interference with principles of education which are concerned with the faith and religion of the "Ahl-i-Zimma"*. 23. Publications and newspapers of Afghanistan such as are not against religion are under no restrictions save as provided by the special law relating to them. The right of publishing news belongs only to the Government and to Afghan subjects. The entry into Afghanistan of foreign newspapers which do not contain matter against religion and the policy of the Afghan Government is unrestricted.
13. 24. The settlement of personal disputes and other matters between (Afghan) subjects falls within the province of the Courts of Justice and other official Departments connected therewith, and such persons as are not satisfied with a decision and order of a court may appeal to higher authorities up to the Ministry concerned, and, if still not satisfied, to the Prime Ministry and His Majesty the King.
18. 25. Fixed revenues and taxes are recovered in accordance with a separate code.
23. 26. Nothing may be recovered from anyone beyond what is laid down in the Government codes.

*Translator's note.

"Ahl-i-Zimma, i.e., the "Ahl-i-Kitab" ("people of the Book", viz., Jews and Christians) who are under the protection of a Moslem Ruler.

Reference to
corresponding
articles of
Amanullah
Khan's Code.

SHURA-I-MILLI (NATIONAL COUNCIL) FORMATION OF THE BODY.

27. The National Council was introduced at the instance of His Majesty the King, with the approval of the Jirga held at Kabul in the year 1309.

28. This body is solely composed of individuals who are interested in the social and political affairs of Afghanistan, *i.e.*, they are representative of all the inhabitants of the country.

29. The National Council is composed of members elected from the Province of Kabul and other Provinces and Districts, and it assembles at the capital.

30. The number of members of the National Council is stated in the Election Rules and is fixed.

31. The term for which members of this Council are elected is three years.

The first session commences from the opening day of the National Council, and it is laid down that new elections will be held at the expiry of each term of three years. If voters wish to re-elect the same member, they are at liberty to do so.

32. Dates of sessions and recesses of the National Council will be laid down in the National Council Regulations.

If during a recess the Government deems it necessary to frame regulations for the National Council, these will be approved by the Government as a temporary measure, and brought into force by His Majesty's Command. If these temporary regulations are approved by the National Council when it re-assembles, they will be added to the regulations, otherwise, they may be modified or rejected by the aforesaid National Council.

cf. 39--40.

33. A meeting of the National Council can also be summoned during recess to consider and settle important questions, and, should it be impossible to call a general meeting on account of the urgency of the matter to be discussed, only the members for Kabul and neighbouring districts will hold a meeting of the National Council (*sic.*)

34. When the National Council meets, at least half of the members must be present, and a decision will be reached on the unanimous vote of the house or on a majority of votes.

35. The National Council will, at the opening of each session, present an address to His Majesty the King who will make a reply.

36. Members attending the Council for the first time will take and sign the following oath.

37. **Form of oath.**—"We, the undersigned, on account of the confidence imposed in us by the Nation and the Government, swear by God the Great and the sacred Qoran, that we will remain true to our Nation and Government".

38. Members of the National Council have full liberty to express their views before the house, and no objection can be raised on these grounds.

39. All debates of the National Council, since the results of debates will later become law, will be open to representatives of newspapers and visitors, who however, in accordance with the restrictions laid down in the National Council Regulations, have only the right to attend and listen.

DUTIES.

40. The National Council will manage its internal affairs, such as selection of President and Vice-President, clerical staff and other members, framing of rules of debate, etc., as laid down in the National Council Regulations.

41. All regulations and procedure, the framing and existence of which are essential to strengthen the foundations of the Government, and for the administration of the affairs of the country, will be passed by the National Council.

42. Adjustment of financial matters, rejection or adoption of taxes and revenues and fresh proposals emanating from the Government will be subject to the approval of the National Council.

48.

43. One of the duties of the National Council is to examine and pass the national budget, after it has been prepared and submitted by the Revenue Ministry.

44. New regulations will be brought into force, and existing laws amended or repealed, on being passed by the National Council, whether the necessity for them has been expressed by the Council itself or by Ministers.

45. Grant of concessions, or the formation of companies and public firms of every kind will be sanctioned by the National Council.

46. Contracts, agreements and grant of concessions (monopolies), whether relating to trade, industry, agriculture, etc., and whether Afghan or foreign, will be concluded with the approval of the National Council.

47. Every loan raised by the Government, whether in the country or abroad, shall first be approved by the National Council.

48. Extension of public highways and (building of) railways, whether to be paid for by Government or Afghan or foreign firms or companies, depends entirely upon the approval of the National Council.

49. The National Council has the right whenever necessary to submit a petition to the King. The petition however, will, in all circumstances, be submitted by a deputation composed of the President and six members selected by all members from among themselves. The deputation will first request the Minister of Court to arrange an audience.

50. Ministers may attend the sittings of the National Council to hear debates. They have also the right, having obtained the permission of the President, to explain and elucidate matters (under discussion). Seats are reserved in the Council Chamber for Ministers.

51. Whenever the necessity for new laws is felt, the proposal is initiated by a Ministry, and put before the National Council by a Minister or the Prime Minister, and will come into force after it has passed the National Council and received the assent of His Majesty the King.

52. In case of need the President may, either of his own motion, or on the proposal of ten members of the Council or that of a Minister, call a secret meeting from which newspaper correspondents and visitors will be excluded, and may also appoint a secret committee composed of certain selected members, and to which other members will not have the right of entry. But the outcome of the deliberations of the secret committee or meeting, as the case may be, will be regarded as passed, provided the matter is discussed in the presence of three quarters of the selected members, and supported by a majority of votes. If the measure is not agreed to in the secret meeting, it will not be announced to the Council, and the latter will not discuss it.

53. In the event of a secret meeting being convened on the motion of the President, the latter is authorised to publish its deliberations so far as may be suitable. But if the meeting is called at the instance of a Minister, the publication will be contingent upon the permission of such Minister.

54. Ministers have the right to withdraw any measure however much it may have been discussed by the Council, but if a measure is introduced by a Minister at the desire of the Council, withdrawal of such measure is contingent upon the consent of the Council.

55. A bill introduced by a Minister and rejected by the Council, will be returned with the latter's observations. The bill will again be read in the Council when the Minister may accept or refute the observations of the Council.

56. When rejecting or accepting a measure the members of the National Council will give a clear and explicit statement of their views, and no one may seek to influence or threaten them. Members of the Council will indicate their approval or disapproval of a measure by visible means such as a black or white (voting) paper, and in such a manner as to be obvious to newspaper representatives and visitors.

INTRODUCTION OF MEASURES BY (MEMBERS OF) THE COUNCIL.

57. Every measure introduced by a member of the Council may be debated, provided that at least a quarter of the members approve it. The measure will then be forwarded to the President in writing, and the latter may first refer it to a committee for investigation.

58. A group of members of the National Council, selected by the rest of the members, approved by the President, and called a committee, will, in the first instance, carefully investigate measures brought before the National Council, and submit to the Council, through the President, such matters as require discussion, with a statement of its own views. The measure will then, with the permission of the President, be discussed by the Council. Proposals which are incomplete or do not require the assent of the Council will be returned by the President to the Ministry concerned with a statement of his reasons for doing so. A committee will consist of at least ten persons.

Reference to
corresponding
articles of
Amanullah
Khan's Code.

59. A Minister who is interested in a bill admitted for discussion in the Council under Rule 57 should be informed of the time of the debate at which the bill will be discussed in committee, or in the Council, so that he may either attend in person or send an Assistant. A copy of the bill and connected papers, except in the case of urgent measures, should be forwarded by the Council to the Ministry concerned for the information of the Minister or his Assistant ten to fifteen days in advance.

60. Should a Minister for any reason disapprove of a bill brought before the Council, he must explain his objections and satisfy the Council of their validity.

61. If the National Council asks for information from a Minister, he is obliged to reply, and, in the absence of reasonable grounds, he is not permitted to delay his reply except when the matter is secret and it is to the interest of the Nation and the Government that it should not be revealed for a certain period. After the lapse of that period however, the matter must be announced to the Council.

62. Personal petitions of subjects which have not been considered by official Departments up to the Ministry concerned, can be made to the National Council by the petitioner's local member. Such petitions are forwarded by the President of the National Council to the Prime Ministry for consideration.

63. The National Council, if it is not in session at the time of the King's death, must assemble within twenty days at most.

64. If the term of office of members has expired before the death of the King, and other members have not been elected, the Council will be composed of the former members.

65. Measures passed by the National Council should not contravene the canons of the religion of Islam or the policy of the country.

66. Measures passed by the National Council will generally come into force after they have been signed by His Majesty the King.

THE HOUSE OF NOBLES.

67. The House of Nobles consists of experienced and far-sighted persons who will be selected and appointed directly by His Majesty the King. It will meet at Kabul.

68. Passing of measures rests with the National Council and the House of Nobles. Proposals placed before this House, (*i.e.*, of Nobles) by Ministers are decided, after consideration and debate, by a majority of votes and forwarded to the National Council for approval. As a counterpart to this, measures approved by the National Council are examined and confirmed by the House of Nobles.

69. If the House of Nobles be not in session at the time of the opening of the National Council, measures passed by the latter do not remain suspended, but come into force after receiving the Royal assent.

70. Measures passed by the House of Nobles and sent to the National Council, if not approved by the latter are, in view of their importance, referred to another committee composed of an equal number of members of each House.

The minimum number of members is twenty. This select committee investigates the matters in question and communicates its opinion to the National Council. In the event of the opinion of the select committee being opposed to that of the National Council, the matter will be referred to His Majesty the King and decided under his exalted direction.

PROVINCIAL ADVISORY COMMITTEES.

39. 71. In the chief town of each Governor's province whether Naib-ul-Hukuma, Hukamat-i-Ala or Hukumat-i-Kalan, an advisory committee will be set up.

41. 72. Mode of election, number of members and the duties of this committee are set forth in the appropriate regulations.

DUTIES AND RIGHTS OF MINISTERS.

25, 28. 73. The administration of the country is carried on by Ministers, *who are selected by the Prime Minister* with the approval of His Majesty.

Reference to
corresponding
articles of
Amanullah
Khan's Code.

25. 74. *The Prime Minister is the President of the Cabinet*, and in his absence the Minister of the first Ministry will perform the duties of President.
75. *Muslims, being Afghan subjects, are alone eligible for appointment as Ministers.*
31. 76. Ministers are responsible to the National Council as regards the policy of the Government in general, and the Ministry under their charge in particular. *His Majesty the King is therefore free from all responsibility.*
- Cf. 30. 77. The responsibility of Ministers and the policy relating to them will be fixed by regulation.
30. 78. Ministers dispose of matters within their powers, and submit those beyond their powers to the *Prime Minister*, who deals with them up to the limit of his authority, and submits such cases as may be beyond his powers for the orders of His Majesty the King.
33. 79. When a Minister is suspected of an offence connected with his official duties he will take his trial in the Diwan-i-ali (Supreme Court). Charges against a Minister in his private capacity will be referred to the Courts of Justice as in the case of other subjects.
34. 80. A Minister under suspicion will be suspended from public duties until the result of his trial is published and he is acquitted.
26. 81. During the absence of a Minister the Assistant in the Ministry, or a Deputy who may be appointed for the purpose, will exercise all the powers of a Minister.
82. *With the permission of His Majesty the King a committee of enquiry will be selected from and appointed by the National Council in accordance with the appropriate regulations, to investigate the general conduct (lit.state) of Ministers and Government servants.*
35. 83. The number of Ministries, the organisation of Departments, and the duties of each, have been laid down in the Fundamental Regulations.

RIGHTS OF GOVERNMENT CIVIL SERVANTS.

36. 84. Civil servants in general are appointed to posts for which they are fit and suitable, in accordance with the articles laid down in the appropriate regulations. Unless he resigns, or the exigencies of Government service require his transfer or dismissal no civil servant will be dismissed. Civil servants who behave well and are diligent in the discharge of their duties, will be entitled to promotion in their grades and ranks, and pension according to the appropriate regulations.
38. 85. All civil servants in order of seniority, are required to obey their superiors in accordance with the regulations on the subject. Officers and their subordinates should in no circumstances issue an order which contravenes the regulations. In the event of a subordinate being ordered by a superior to act in contravention of the rules in any instance, the subordinates should, before taking such action, report to the central office of his Ministry or the Prime Ministry.
37. 86. Duties of civil servants are laid down in the respective codes. Every civil servant is held responsible for discharging his duties in accordance with the instructions laid down in the regulations on the subject.

COURTS.

87. *General suits under Shariat law will be filed in the Courts of Justice.*
88. *Suits filed in the Shariat Courts are dealt with in accordance with the principles of the Hanafi Religion.*
53. 89. All courts are free from any kind of interference.
50. 90. Cases are tried openly in the Courts of Justice with the exception of those which the judge directs shall be heard *in camera*.
- Cf. 51. 91. Every person may plead in Court *any provision of Shariat Law* to protect his rights.
- Cf. 52. 92. Courts of Justice may not delay the hearing and decision of cases, *except as provided by Shariat law.*
55. 93. No one may set up a special tribunal to settle particular cases out of Court.
54. 94. The classification of Courts and their powers have been laid down in the Fundamental Regulations.

Reference to
corresponding
articles of
Amanullah
Khan's Code.

DIWAN-I-ALI (SUPREME COURT).

56. 95. A Supreme Court is summoned temporarily, as required, to try Government Ministers, and is dissolved after dealing with the cases referred to it.
57. 96. The method of summoning a Supreme Court and the procedure therein are laid down in a special code.

FINANCIAL MATTERS.

58. 97. All Government taxes are realised in accordance with a special code.
59. 98. Every year a budget showing the income and expenditure of the Government is prepared according to rule 43. The budget is the basis on which revenue is collected and expenditure made. Money for Government expenditure will be recovered and spent in accordance therewith.
60. 99. After the annual budget has been checked, a final statement of accounts comprising actual figures of income and expenditure for the year is prepared.
61. 100. There is a special code governing the form of the final statement of accounts, the preparation of the budget and the method of check.
101. *Reduction or remission of revenues are dealt with in accordance with a special code.*

ADMINISTRATION OF PROVINCES.

63. 102. The principle of the administration of provinces is based on three fundamental rules, *i.e.*, delegation of authority, allotment of duties and fixation of responsibility. On the basis of the above-mentioned rules the duties of provincial civil servants are classified and fixed, and their authority limited according to the appropriate principles. Every civil servant is held responsible to his superior in all official matters.
64. 103. Civil servants are posted to provinces from each Ministry separately. The public approach the appropriate branches for the disposal of business and the satisfaction of their requirements.
67. 104. If signs of unrest and rebellion tending to the disturbance of the public peace be discovered in any part of the country, the Government has the power to adopt the measures necessary to put down the insurrection and restore peace.
66. 105. Formation of municipalities and their duties are governed by a special code.

ARMY.

106. *Recruitment of the army and its duties and rights are governed by a special code.*
107. *No member of the army may be deprived of his pay or rank otherwise than as laid down in the regulations.*
108. *Foreign subjects, with the exception of doctors and military instructors, are not accepted in military employment.*

MISCELLANEOUS PRINCIPLES.

73. 109. Immunity of correspondence is one of the rights of the people. Letters and other communications from the public on which postage has been paid will not be opened by any post-office, or at any other place, except under an order of search from a Court (or Department, Tr.), but will be delivered closed to the addressee.
32. 110. Whenever a verbal order is given to a Minister or other civil servant by His Majesty or the Prime Minister, he should obtain such orders in writing and signed by the King or the Prime Minister.

I direct that these orders and regulations be brought into force.

Dated the 8th Aqrab 1310 (31st October 1931).

Seal of His Majesty the King of Afghanistan.

APPENDIX IV.

INCUMBENTS OF CERTAIN APPOINTMENTS MENTIONED IN THE PRÉCIS.

The following list gives the incumbents of the appointments, British and Afghan, most frequently referred to in the correspondence, with dates of tenure :—

	BRITISH.	Date of assuming charge.
<i>Secretary of State for Foreign Affairs—</i>		
Mr. A. Henderson		8th June 1929.
Sir John Simon		9th November 1931.
Mr. R. A. Eden		22nd December 1935
<i>Secretary of State for India—</i>		
The Earl of Birkenhead		7th November 1924.
Mr. W. Wedgwood Benn		8th June 1929.
Sir Samuel Hoare		26th August 1931.
The Marquess of Zetland		7th June 1935.
<i>Viceroy and Governor General of India—</i>		
Lord Irwin		3rd April 1926.
Viscount Goschen (Acting)		29th June 1929.
The Earl of Willingdon		18th April 1931.
Sir George Stanley (Acting)		16th May 1934.
The Marquess of Linlithgow		18th April 1936.
<i>Foreign Secretary to the Government of India—</i>		
Sir Evelyn Howell		31st December 1929.
Sir Aubrey Metcalfe		16th May 1932.
<i>Chief Commissioner (now H. E. the Governor), N. W. F. P.—</i>		
Sir S. E. Pears		10th May 1930.
Sir Ralph Griffith		10th September 1931.
Sir George Cunningham (offg.)		4th November 1931.
Sir Ralph Griffith		4th May 1933.
<i>Agent to the Governor General, Baluchistan—</i>		
Lt.-Col. E. H. S. James (offg.)		7th July 1926.
Sir Beachamp St. John		4th November 1927.
Lt.-Col. E. H. S. James (offg.)		2nd January 1929.
Lt.-Col. C. E. Bruce (offg.)		29th October 1930.
Mr. A. N. L. Cater		23rd March 1931.
Lt.-Col. J. A. Brett		10th May 1932.
Sir Norman Cater		2nd October 1932.
Lt.-Col. A. E. B. Parsons		18th April 1936.
<i>His Majesty's Minister, Kabul—</i>		
Sir Richard Maconachie		2nd March 1930.
Lt.-Col. W. K. Fraser-Tytler		15th March 1935.
AFGHAN.		
<i>Prime Minister—</i>		
Muhammad Hashim Khan		November 1929.
<i>Foreign Minister—</i>		
Faiz Muhammad Khan		November 1929
<i>War Minister—</i>		
Shah Mahmud Khan		November 1929.
<i>Legation—</i>		
<i>London—</i>		
Shah Wali Khan		November 1929.
Abnrad Ali Khan		May 1931.
Ali Muhammad Khan		July 1933.

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